

REC \$ 25.00
AUD \$
R.M.F. \$ 7.00

FILED NUMBER 3000

BOOK 2003 PAGE 1300

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CERTIFIED TRUE COPY



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RECORDED	<input checked="" type="checkbox"/>
COMPARED	<input checked="" type="checkbox"/>

MICKI UTSLER
RECORDER
MADISON COUNTY, IOWA

In the Matter of the Condemnation of Certain Rights in Land by the Iowa Department of Transportation for the Improvement of

Primary Road No. 92 north of the City of Patterson located in Madison County, Iowa

Project No. STPN-92-4(24)-2J-61 Group "A"

TO: Arthur E. Gamble, Chief Judge, 5th Judicial District including Madison County, Iowa

APPLICATION TO THE CHIEF JUDGE OF THE 5th JUDICIAL DISTRICT FOR THE APPOINTMENT OF A COMMISSION TO APPRAISE DAMAGES

Comes now the Iowa Department of Transportation and states that the public interest requires that certain rights be acquired in Non-Agricultural land by Condemnation proceedings. The Iowa Department of Transportation, acting on behalf of the State of Iowa and/or its political subdivisions, has not been able to secure rights in lands by purchase and conveyance for the improvement of roads and streets. In accordance with Sec. 6B.2A, 6B.2B and 6B.3, the Code of Iowa, as amended by H.F. 476, the following is set forth:

Description: The lands and/or property rights sought to be condemned or affected are described on the attached Notice of Condemnation which is made a part of this Application.

Plat: The location of the right of way or other property rights sought to be condemned or affected are shown on the plat(s) attached to and a part of the attached Notice of Condemnation.

Minimum Land Needs: The minimum amount of land necessary to achieve the public purpose is as described in and shown on the Notice of Condemnation and attached plat(s).

Names and Addresses: The names and addresses of the record owners, lienholders, encumbrancers and other persons affected by this proceeding are listed on the attached Notice of Condemnation.

Purpose: The Department of Transportation desires the rights specified in the lands sought to be condemned for the improvement and/or maintenance of roads and streets within the State of Iowa.

Statement of Individual Rights: The Iowa Department of Transportation has provided the owner(s) with a statement of their individual rights and written notification as required under Sec. 6B.2A.

Good Faith Negotiations: The Applicant has made an effort to negotiate in good faith with the owner(s) to acquire the property sought to be condemned. These efforts include:

1. Provided the owner(s) with written notification at least 30 days prior to the intent to proceed with this public improvement.
 2. Provided the owner(s) with a copy of the appraisal of the property sought.
 3. Discussed the basis of determining value.
 4. Reviewed the project design plans.
 5. Discussed the contents of the acquisition contract.
 6. Addressed owner's questions and concerns.
 7. Provided the owner(s) with a written offer of the fair market value.
- Based on these efforts, we were unable to reach an agreement.

Agricultural Land: A part of the lands sought to be appropriated may be classified as Class I or Class II within an agricultural area and, if so classified, is reasonably necessary for this internal improvement.

Request: NOW, THEREFORE, the Iowa Department of Transportation hereby requests the appointment of a compensation commission of six qualified persons to view the premises and appraise the damages which the owners, lienholders, encumbrancers and other persons affected will sustain by reason of this Condemnation.

Dated at Ames, Iowa, this 26 day of February, 2003.

IOWA DEPARTMENT OF TRANSPORTATION
DAVID A. FERREE
Special Assistant Attorney General
and General Counsel to the Iowa DOT

REC \$ 215.00
AUD \$
R.M.F. \$ 5.00

COMPUTER	<input checked="" type="checkbox"/>
RECORDED	<input checked="" type="checkbox"/>
COMPARED	<input type="checkbox"/>

By Robert Dahlgren
Robert Dahlgren
Condemnation Unit Coordinator
Office of Right of Way

3968

FILED NO. _____

BOOK 2003 PAGE 3968

Filed in my office at Des Moines, Iowa, this 3 day of March, 2003.

2003 JUL -7 PM 3:39

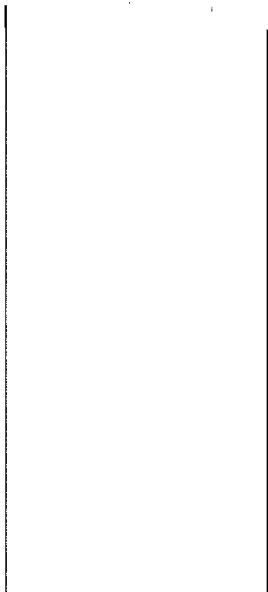
Arthur E. Gamble
Arthur E. Gamble
Chief Judge of the 5th Judicial District
including Madison County, Iowa.

MICKI UTSLER
RECORDER
MADISON COUNTY, IOWA

I certify that this Application for Condemnation has been approved by the Chief Judge.

Robert Dahlgren 3/5/03
Condemnation Unit Coordinator

REPRODUCED FROM COPY



In the Matter of the Condemnation of
Certain Rights in Land by the Iowa
Department of Transportation for the
Improvement of

Primary Road No. 92 north
of the City of Patterson

NOTICE

located in Madison County, Iowa

Project No. STPN-92-4(24)--2J-61

Group "A"

TO:

Dwayne Frazier also known as Dwayne W. Frazier, 390 School Street, Martensdale, Iowa
Dolores E. Frazier, 390 School Street, Martensdale, Iowa
Peoples Savings Bank, 111 North Buxton, Indianola, Iowa
Madison County, Iowa, c/o County Auditor, 112 N. John Wayne Dr., Winterset, Iowa

and to all other persons, companies or corporations having any interest in or owning any of the following described real estate:

Part of the NE $\frac{1}{4}$ SW $\frac{1}{4}$ of Section 29, T76N, R26W, of the 5th P.M., Madison County, Iowa.

You, and each of you, are hereby notified that the State of Iowa desires certain rights in land more specifically described as follows and shown with reference to their location as to land affected on the plats Exhibit "A" and Exhibit "B" (Total Ownership Plat Only) attached hereto and to the Application filed with the Chief Judge of the Judicial District containing Madison County, Iowa, and in the Office of the Sheriff of Madison County, Iowa, to which you are referred:

The title in fee simple sought to be appropriated for the use and benefit of the State of Iowa is in land described as follows:

A parcel of land located in the NE $\frac{1}{4}$ SW $\frac{1}{4}$ of Section 29, T76N, R26W of the 5th P.M., Madison County, Iowa, as shown on the plat, Exhibit "A", attached hereto and by reference made a part hereof:

Madison County Project No. STPN-92-4(24)--2J-61

Dwayne Frazier, et ux (Parcel 1)

Continued on next page

Said parcel is described as follows:

Commencing at the NW Corner of the NE $\frac{1}{4}$ SW $\frac{1}{4}$ of said Section 29; thence S1°41'11"E, 313.50 feet along the west line of the NE $\frac{1}{4}$ SW $\frac{1}{4}$ of said Section 29 to a point on the present southwesterly right of way line of Primary Road No. IA. 92; thence N89°24'21"E, 73.07 feet along said present southwesterly right of way line, to the Point of Beginning; thence continuing N89°24'21"E, 33.18 feet; thence southeasterly 173.56 feet along a 1470.89 foot radius curve, concave southwesterly and having a chord bearing S61°11'37"E, 173.46 feet; thence N64°21'02"W, 56.91 feet; thence N66°21'32"W, 146.14 feet to a point on the present southwesterly right of way line of Primary Road No. IA. 92, the Point of Beginning.

Said parcel contains 1,563 Square Feet of which 176 Square Feet is contained within existing highway easements.

In connection with this condemnation proceeding it is specifically provided as follows: Any and all improvements, including fences or agricultural crops, if any, located wholly within the land sought in fee simple title, are condemned in their entirety.

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 3:39 pm

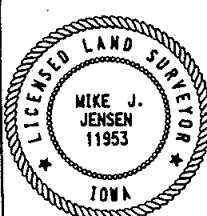
MIKE UTSLER
 RECORDER
 MADISON COUNTY, IOWA

IOWA DEPARTMENT OF TRANSPORTATION

ACQUISITION PLAT
 EXHIBIT 'A'

COUNTY MADISON STATE CONTROL NO. 61-0600
 PROJECT NO. STPN-92-4(24)--2J-61 PARCEL NO. 1
 SECTION 29 TOWNSHIP 78 N RANGE 26 W
 ROW-FEE * 1,563 Sq.Ft. EASE _____ AC. EXCESS - FEE _____ AC
 ACQUIRED FROM DWAYNE FRAZIER, ET UX

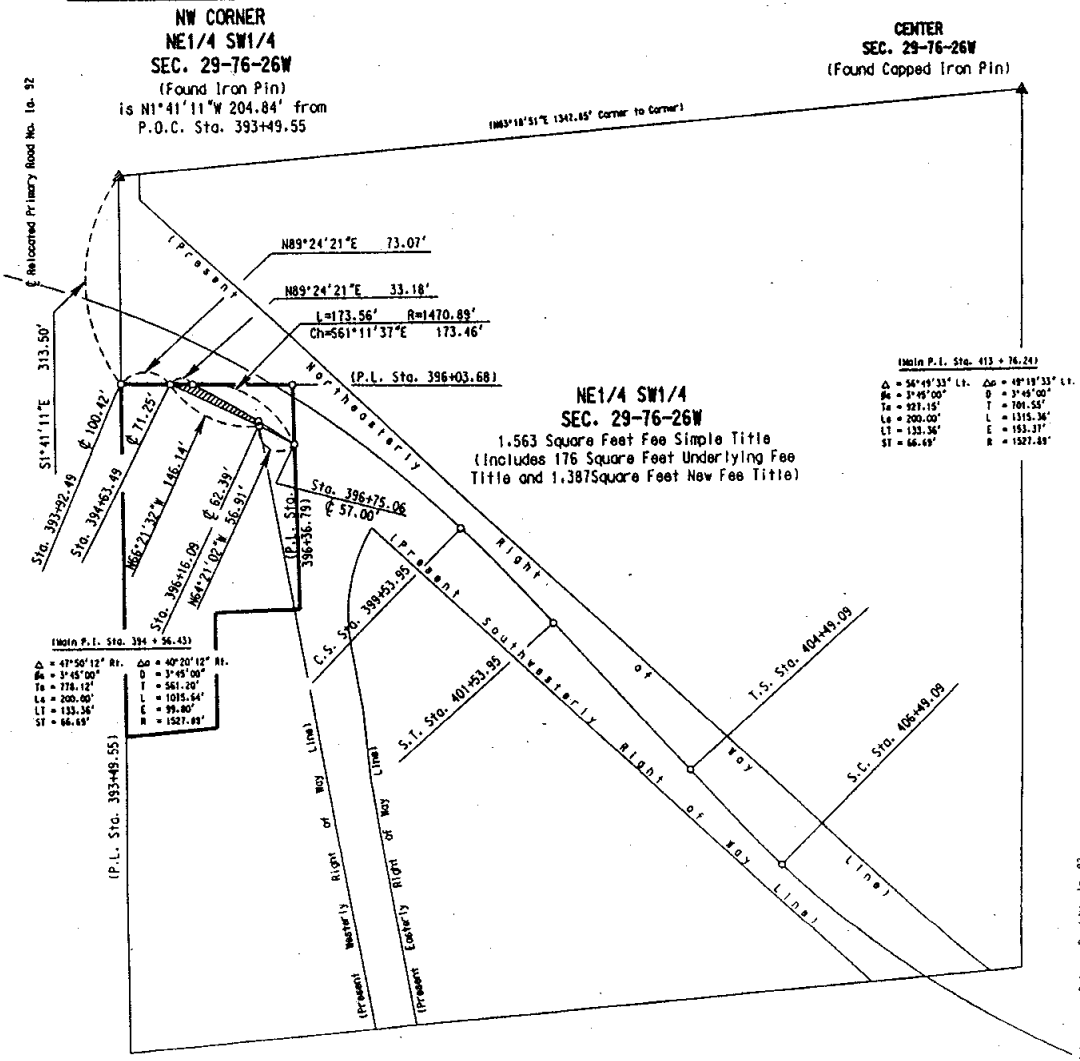
* Includes 176 Square Feet Underlying Fee Title
 and 1,387 Square Feet New Fee Simple Title



I hereby certify that this land surveying document was prepared by me and the related survey work was performed by me or under my direct supervision and that I am a duly licensed Land Surveyor under the laws of the State of Iowa.

Mike J. Jensen 4-4-02
 Mike J. Jensen Date

License number 11953
 Pages covered by this seal 1
 My Registration Renewal date is December 31, 2002



Main P.L. Sta. 413 + 76.241

Δ = 56°49'33" Lt.	Δ = 48°19'33" Lt.
B = 3°45'00"	D = 3°45'00"
Ta = 921.15'	T = 701.55'
L = 200.00'	L = 1315.36'
L1 = 133.36'	E = 153.37'
S1 = 66.69'	R = 1527.89'

Main P.L. Sta. 394 + 34.431

Δ = 47°50'12" Rt.	Δ = 40°20'12" Rt.
B = 3°45'00"	D = 3°45'00"
Ta = 176.12'	T = 561.20'
L = 200.00'	L = 1015.54'
L1 = 133.36'	E = 99.80'
S1 = 66.69'	R = 1527.89'



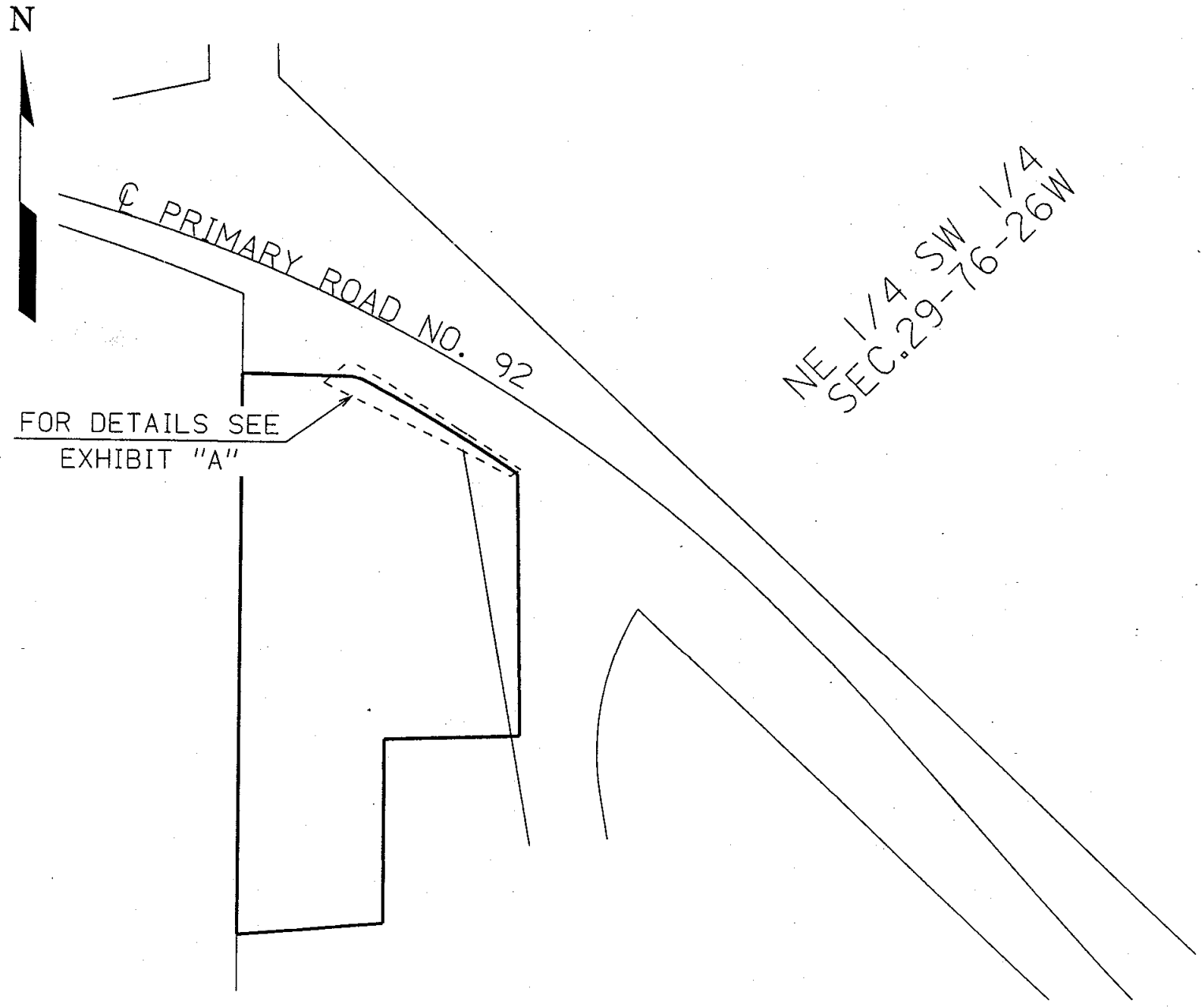
04/02/02

IOWA DEPARTMENT OF TRANSPORTATION
EXHIBIT "B"



COUNTY MADISON
PROJECT NO. STPN-92-4(24)--2J-61 PARCEL NO. 1
SECTION 29 TOWNSHIP 76N RANGE 26W
BORROW AC
ACQUIRED FROM DWAYNE FRAZIER, ET UX

TOTAL OWNERSHIP PLAT ONLY



IN THE SHERIFF'S OFFICE OF MADISON COUNTY, IOWA

IN THE MATTER OF THE
 CONDEMNATION OF CERTAIN RIGHTS
 IN LAND BY THE IOWA DEPARTMENT
 OF TRANSPORTATION FOR THE
 IMPROVEMENT OF

Primary Road No. 92 north of the City of
 Patterson located in Madison County, IOWA
 Project No. STPN-92-4(24)—2J-61 Group "A"

**ORDER SELECTING AND APPOINTING
 COMPENSATION COMMISSIONERS
 AND ALTERNATE COMMISSIONERS
 BY THE CHIEF JUDGE OF THE
 FIFTH JUDICIAL DISTRICT OF IOWA**

An Application for Condemnation having been filed with me by the Iowa Department of Transportation for the selection and appointment, by lot, of six suitable persons as provided by law to act as a Compensation Commission to assess and appraise the damages sustained by reason of the condemnation of certain specified rights in certain land described by the Applicant, in its Application filed in the above-entitled matter, I hereby DESIGNATE, SELECT, by lot, and APPOINT as the members of said Compensation Commission required in this matter the following persons:

NAME	ADDRESS	QUALIFICATIONS
Jim Kress	1105 Academy Avenue Earlham, IA 50072	LICENSED REAL ESTATE BROKER/SALESPERSON
Sharon Christensen	1818 Pammell Pk Rd Winterset, IA 50273	
Roy Foley	1421 Hwy 92 Winterset, IA 50273	KNOWLEDGEABLE OF PROPERTY VALUES BY VIRTUE OF OCCUPATION
Jim Mease	315 West Green Winterset, IA 50273	
Bob Van Scoy	704 South 8 th Avenue Winterset, IA 50273	NON-AGRICULTURE
Phil Macumber	326 North 8 th Avenue Winterset, IA 50273	

I further DESIGNATE, SELECT, and APPOINT Jim Kress to act as Chairperson of said Commission and Sharon Christensen is appointed to act as Alternate Chairperson.

Pursuant to Section 6B.5 of the Iowa Code, one of the above-named Compensation Commissioners shall be subject to challenge without cause by the Applicant, Iowa Department of Transportation, and one of the above-named Compensation Commissioners shall be subject to challenge without cause by the party or parties representing the fee ownership interest or interests of the property being condemned. Such challenge must be filed in writing with the Sheriff not less than seven (7) days prior to the meeting of the Compensation Commission to assess and appraise damages for the taking.

I further DESIGNATE, SELECT, by lot, and APPOINT the following persons to serve as alternate members of said Compensation Commission, to serve in the event that any of the members having the same qualifications are unable to serve for any reason or in the event any such members are stricken from the panel as provided by law:

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NAME	ADDRESS	QUALIFICATIONS
Charles Tucker	2089 St. Hwy 92 Winterset, IA 50273	LICENSED REAL ESTATE BROKER/SALESPERSON
Carol Landis	2370 148 th Street Winterset, IA 50273	
Loren Myers	3228 Deer Run Avenue Macksburg, IA 50155	KNOWLEDGEABLE OF PROPERTY VALUES BY VIRTUE OF OCCUPATION
Bret Smith	2810 US Hwy 169 Winterset, IA 50273	
Edwin R. Smith	1017 Madison Avenue Earlham, IA 50072	NON-AGRICULTURE
Kim Harris	145 NW Locust Earlham, IA 50072	

I HEREBY ORDER that if a person is excused from the Compensation Commission, the Applicant, Iowa Department of Transportation and person or persons representing the fee ownership interest in the property may stipulate in writing to the selection and notification of a particular Alternate Commissioner having the same qualifications as the person being replaced, provided such stipulation is filed with the Sheriff not less than seventy-two (72) hours prior to the meeting of the Commission. Absent such stipulation, the Sheriff of Madison County, Iowa, shall notify person or persons unable to serve or stricken from the panel, such notification to be given to Alternate Commissioners in the same manner as the original Compensation Commissioners were notified. The Alternate Commissioner first notified who is available to serve as a Compensation Commissioner shall then serve in the place of the Commissioner who was unable to serve or who was stricken from the panel. I further direct that the above-named Alternate Commissioners shall not be subject to challenge without cause.

I FURTHER HEREBY ORDER that the Commissioners, and such Alternate Commissioners as may be hereafter selected by the Sheriff due to the absence or removal of a Commissioner, shall appear at the time and place designated for the meeting of the Compensation Commission in the Notice of Meeting of Compensation Commission to Assess Damages for the Taking of Property, and that prior to said meeting, the above named Commissioners and Alternate Commissioners shall not communicate with the Applicant, Iowa Department of Transportation, or the owner or tenant of the property being condemned regarding the condemnation proceedings.

I FURTHER HEREBY ORDER that the Applicant, Iowa Department of Transportation, mail and publish or serve a list of the above-named Compensation Commissioners and alternate Commissioners to the owner or owners of the property sought to be condemned, in accordance with Section 6B.4 of the Iowa Code.

TO THE SHERIFF OF MADISON COUNTY, IOWA: Attached hereto please find a duplicate of the Application for Condemnation in the above matter.

Dated at Des Moines, Iowa this 3 day of March, 2003.


 CHIEF JUDGE OF THE FIFTH JUDICIAL DISTRICT, IOWA

Filed in my office at Winterset, Iowa this 18th day of March, 2003.


 SHERIFF OF MADISON COUNTY, IOWA

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In the Matter of the Condemnation
of Certain Rights in Land by the
Iowa Department of Transportation
for the Improvement of

SUMMONS TO COMMISSIONERS

Primary Road No. 92 north
of the City of Patterson
located in Madison County, Iowa

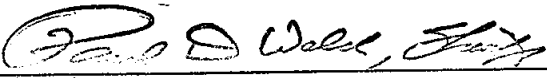
Project No. STPN-92-4(24)-2J-61 Group "A"

TO: Carol Landis

The Iowa Department of Transportation has filed with the Chief Judge of the 5th Judicial District including Madison County, Iowa, an Application and Notice of Condemnation for the selection of a Compensation Commission to assess the damages which owners, lienholders, encumbrancers and other persons interested in the land from which certain rights are sought to be appropriated by these proceedings will sustain by reason of such appropriation of the rights as described in the Application and Notice of Condemnation for the improvement and/or maintenance of roads and streets in Madison County, Iowa, and

Pursuant to Iowa law, you have been selected and appointed by the Chief Judge of the 5th Judicial District for Madison County, Iowa, as a member of such Compensation Commission, and such selection and appointment has been duly filed in my office and that Jim Kress has been designated as Chairperson of the Commission.

NOW, THEREFORE, you are commanded to be and appear before the undersigned in the office of the Sheriff at Winterset, Madison County, State of Iowa, on the 3rd day of June, 2003, at 9:30 o'clock a.m. (dst) for the purpose of qualifying as such Commission, and proceed to view said premises and make an award of damages as by law provided.


Paul Welch
Sheriff of Madison County, Iowa

ACCEPTANCE OF SERVICE

(Before accepting appointment to this commission, please note the persons and real estate affected by the condemnation on the attached Notice(s) to determine whether or not you possess any interest which would cause you to render a biased decision.)

Due and legal service of foregoing Summons accepted and receipt of copy acknowledged at Winterset, Iowa, this 2nd day of June, 2003. I further certify that I do not possess any interest in the above proceedings which would cause me to render a biased decision therein.

Carol Landis

Filed in my office at Winterset, Iowa, this _____ day of _____, 20____.

Paul Welch
Sheriff of Madison County, Iowa

REFUSAL TO SERVE

I will be unable to serve for the reason that I possess an interest in the proceeding which would cause me to render a biased decision, or for the reason that...

Please sign original summons and return promptly to the Sheriff of Madison County, Iowa.

In the Matter of the Condemnation
of Certain Rights in Land by the
Iowa Department of Transportation
for the Improvement of

SUMMONS TO COMMISSIONERS

**Primary Road No. 92 north
of the City of Patterson**
located in **Madison County, Iowa**

Project No. **STPN-92-4(24)-2J-61 Group "A"**

TO: Jim Kress

The Iowa Department of Transportation has filed with the Chief Judge of the 5th Judicial District including Madison County, Iowa, an Application and Notice of Condemnation for the selection of a Compensation Commission to assess the damages which owners, lienholders, encumbrancers and other persons interested in the land from which certain rights are sought to be appropriated by these proceedings will sustain by reason of such appropriation of the rights as described in the Application and Notice of Condemnation for the improvement and/or maintenance of roads and streets in Madison County, Iowa, and

Pursuant to Iowa law, you have been selected and appointed by the Chief Judge of the 5th Judicial District for Madison County, Iowa, as a member of such Compensation Commission, and such selection and appointment has been duly filed in my office and that Jim Kress has been designated as Chairperson of the Commission.

NOW, THEREFORE, you are commanded to be and appear before the undersigned in the office of the Sheriff at Winterset, Madison County, State of Iowa, on the 3rd day of June, 2003, at 9:30 o'clock a.m. (dst) for the purpose of qualifying as such Commission, and proceed to view said premises and make an award of damages as by law provided.

Paul D Welch, Sheriff

Paul Welch
Sheriff of Madison County, Iowa

ACCEPTANCE OF SERVICE

(Before accepting appointment to this commission, please note the persons and real estate affected by the condemnation on the attached Notice(s) to determine whether or not you possess any interest which would cause you to render a biased decision.)

Due and legal service of foregoing Summons accepted and receipt of copy acknowledged at Earlham Iowa, this 24 day of March, 2003. I further certify that I do not possess any interest in the above proceedings which would cause me to render a biased decision therein.

Ruby Strain

Filed in my office at Winterset, Iowa, this 25th day of March, 2003.

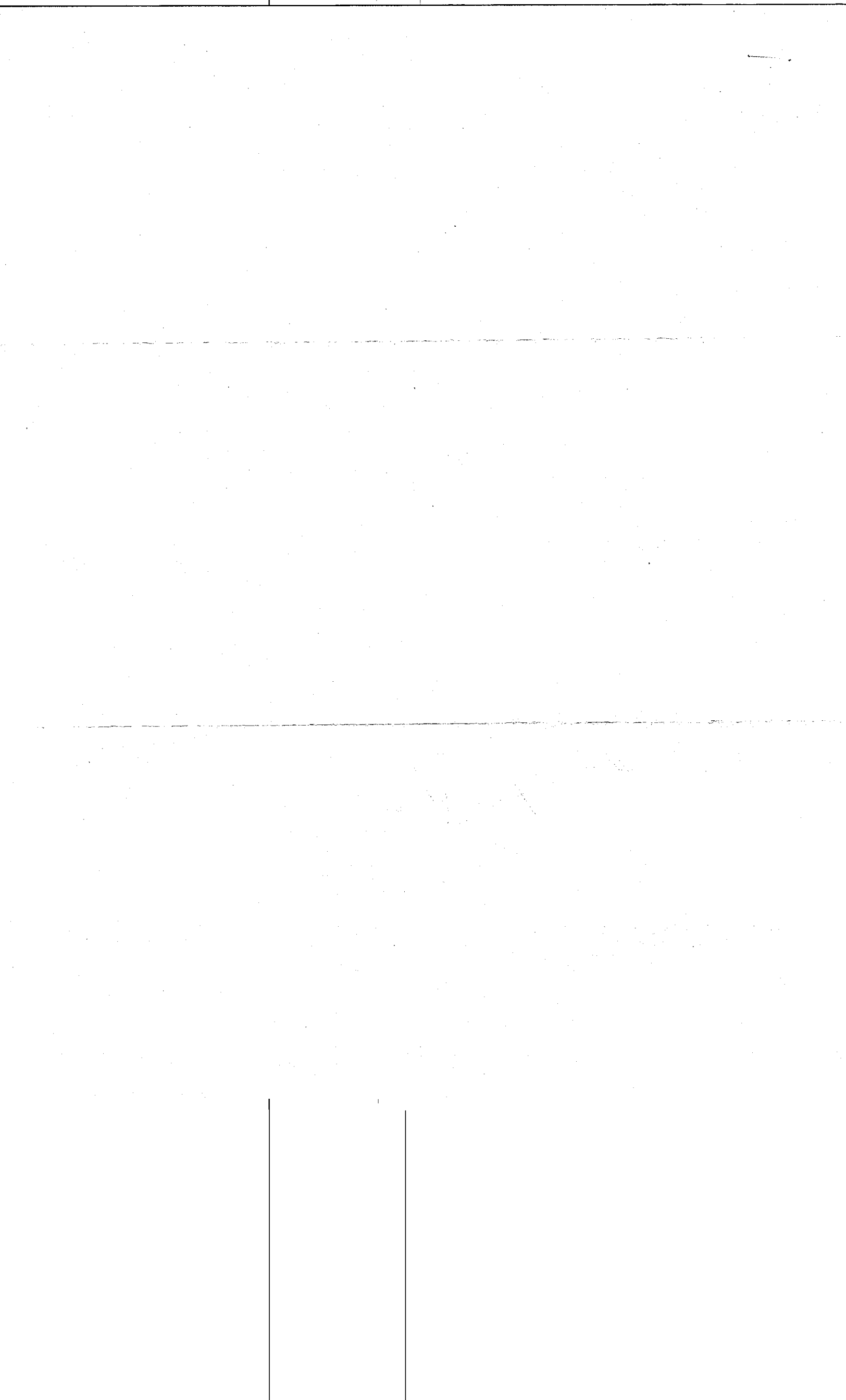
Paul D Welch, Sheriff

Paul Welch
Sheriff of Madison County, Iowa

REFUSAL TO SERVE

I will be unable to serve for the reason that I possess an interest in the proceeding which would cause me to render a biased decision, or for the reason that...

Please sign original summons and return promptly to the Sheriff of Madison County, Iowa.



In the Matter of the Condemnation
of Certain Rights in Land by the
Iowa Department of Transportation
for the Improvement of

SUMMONS TO COMMISSIONERS

Primary Road No. 92 north
of the City of Patterson
located in Madison County, Iowa

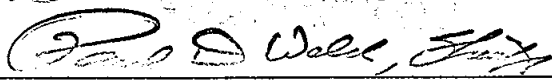
Project No. STPN-92-4(24)-2J-61 Group "A"

TO: CHARLES TUCKER

The Iowa Department of Transportation has filed with the Chief Judge of the 5th Judicial District including Madison County, Iowa, an Application and Notice of Condemnation for the selection of a Compensation Commission to assess the damages which owners, lienholders, encumbrancers and other persons interested in the land from which certain rights are sought to be appropriated by these proceedings will sustain by reason of such appropriation of the rights as described in the Application and Notice of Condemnation for the improvement and/or maintenance of roads and streets in Madison County, Iowa, and

Pursuant to Iowa law, you have been selected and appointed by the Chief Judge of the 5th Judicial District for Madison County, Iowa, as a member of such Compensation Commission, and such selection and appointment has been duly filed in my office and that Jim Kress has been designated as Chairperson of the Commission.

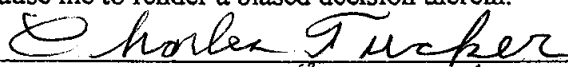
NOW, THEREFORE, you are commanded to be and appear before the undersigned in the office of the Sheriff at Winterset, Madison County, State of Iowa, on the 3rd day of June, 2003, at 9:30 o'clock a.m. (dst) for the purpose of qualifying as such Commission, and proceed to view said premises and make an award of damages as by law provided.


Paul Welch
Sheriff of Madison County, Iowa

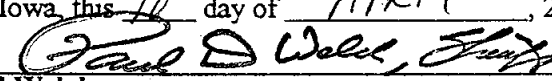
ACCEPTANCE OF SERVICE

(Before accepting appointment to this commission, please note the persons and real estate affected by the condemnation on the attached Notice(s) to determine whether or not you possess any interest which would cause you to render a biased decision.)

Due and legal service of foregoing Summons accepted and receipt of copy acknowledged at Winterset Iowa, this 8 day of April, 2003. I further certify that I do not possess any interest in the above proceedings which would cause me to render a biased decision therein.


Charles Tucker

Filed in my office at Winterset, Iowa, this 10th day of April, 2003.


Paul Welch
Sheriff of Madison County, Iowa

REFUSAL TO SERVE

I will be unable to serve for the reason that I possess an interest in the proceeding which would cause me to render a biased decision, or for the reason that...

Please sign original summons and return promptly to the Sheriff of Madison County, Iowa.

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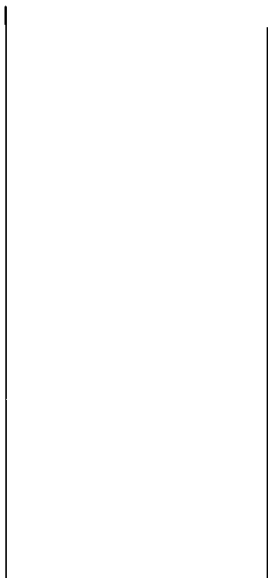
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Page 1



In the Matter of the Condemnation
of Certain Rights in Land by the
Iowa Department of Transportation
for the Improvement of

SUMMONS TO COMMISSIONERS

Primary Road No. 92 north
of the City of Patterson
located in Madison County, Iowa

Project No. STPN-92-4(24)-2J-61 Group "A"

TO: Roy Foley

The Iowa Department of Transportation has filed with the Chief Judge of the 5th Judicial District including Madison County, Iowa, an Application and Notice of Condemnation for the selection of a Compensation Commission to assess the damages which owners, lienholders, encumbrancers and other persons interested in the land from which certain rights are sought to be appropriated by these proceedings will sustain by reason of such appropriation of the rights as described in the Application and Notice of Condemnation for the improvement and/or maintenance of roads and streets in Madison County, Iowa, and

Pursuant to Iowa law, you have been selected and appointed by the Chief Judge of the 5th Judicial District for Madison County, Iowa, as a member of such Compensation Commission, and such selection and appointment has been duly filed in my office and that Jim Kress has been designated as Chairperson of the Commission.

NOW, THEREFORE, you are commanded to be and appear before the undersigned in the office of the Sheriff at Winterset, Madison County, State of Iowa, on the 3rd day of June, 2003, at 9:30 o'clock a.m. (dst) for the purpose of qualifying as such Commission, and proceed to view said premises and make an award of damages as by law provided.

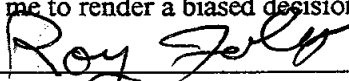


Paul Welch
Sheriff of Madison County, Iowa

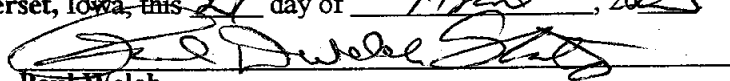
ACCEPTANCE OF SERVICE

(Before accepting appointment to this commission, please note the persons and real estate affected by the condemnation on the attached Notice(s) to determine whether or not you possess any interest which would cause you to render a biased decision.)

Due and legal service of foregoing Summons accepted and receipt of copy acknowledged at _____ Iowa, this 27 day of April, 2003. I further certify that I do not possess any interest in the above proceedings which would cause me to render a biased decision therein.



Filed in my office at Winterset, Iowa, this 27 day of April, 2003

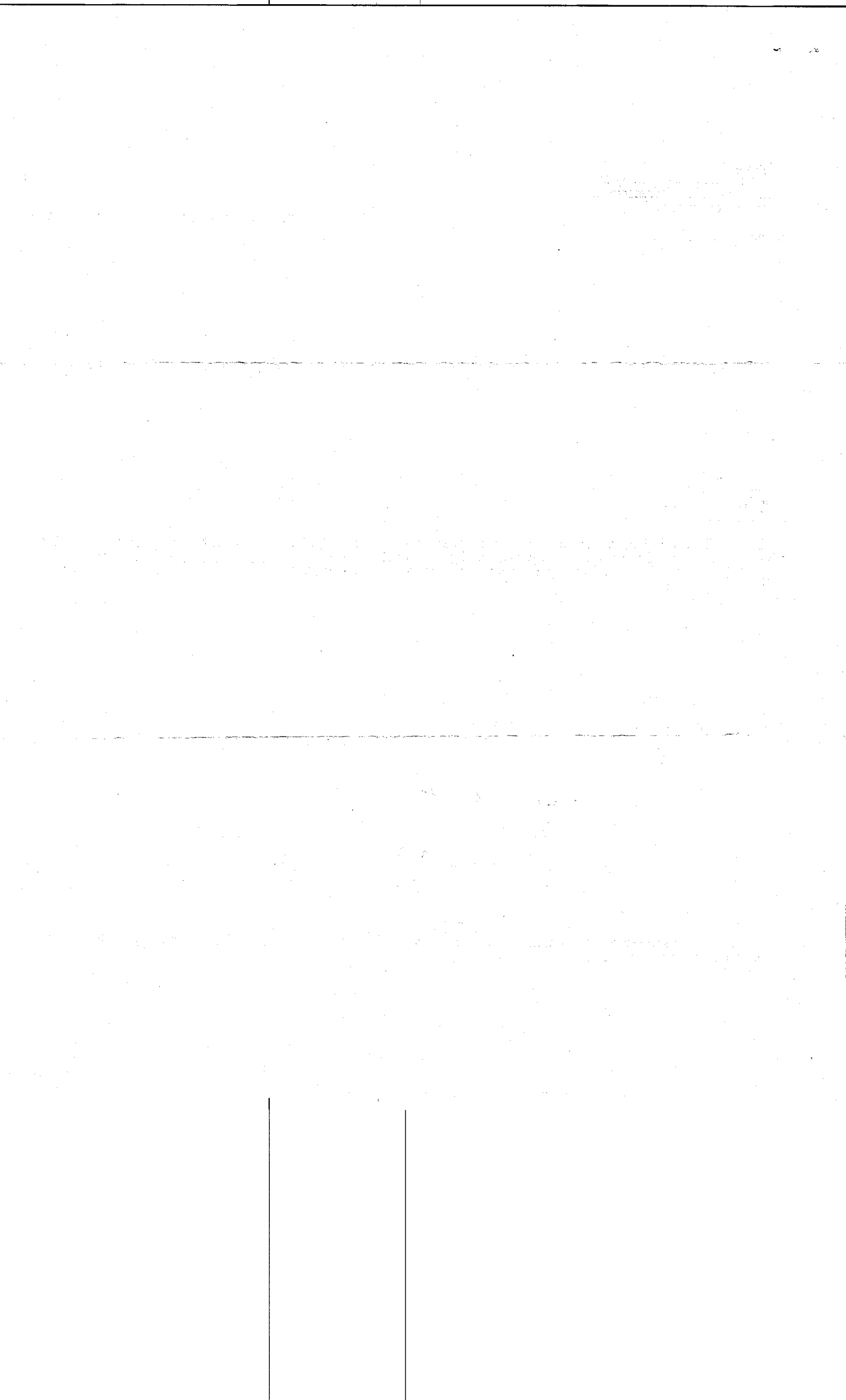


Paul Welch
Sheriff of Madison County, Iowa

REFUSAL TO SERVE

I will be unable to serve for the reason that I possess an interest in the proceeding which would cause me to render a biased decision, or for the reason that...

Please sign original summons and return promptly to the Sheriff of Madison County, Iowa.



In the Matter of the Condemnation
of Certain Rights in Land by the
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for the Improvement of

SUMMONS TO COMMISSIONERS

Primary Road No. 92 north
of the City of Patterson
located in Madison County, Iowa

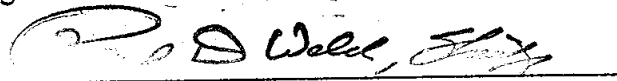
Project No. STPN-92-4(24)-2J-61 Group "A"

TO: Bob Van Scoy

The Iowa Department of Transportation has filed with the Chief Judge of the 5th Judicial District including Madison County, Iowa, an Application and Notice of Condemnation for the selection of a Compensation Commission to assess the damages which owners, lienholders, encumbrancers and other persons interested in the land from which certain rights are sought to be appropriated by these proceedings will sustain by reason of such appropriation of the rights as described in the Application and Notice of Condemnation for the improvement and/or maintenance of roads and streets in Madison County, Iowa, and

Pursuant to Iowa law, you have been selected and appointed by the Chief Judge of the 5th Judicial District for Madison County, Iowa, as a member of such Compensation Commission, and such selection and appointment has been duly filed in my office and that Jim Kress has been designated as Chairperson of the Commission.

NOW, THEREFORE, you are commanded to be and appear before the undersigned in the office of the Sheriff at Winterset, Madison County, State of Iowa, on the 3rd day of June, 2003, at 9:30 o'clock a.m. (dst) for the purpose of qualifying as such Commission, and proceed to view said premises and make an award of damages as by law provided.



Paul Welch
Sheriff of Madison County, Iowa

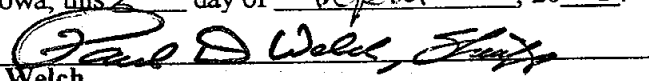
ACCEPTANCE OF SERVICE

(Before accepting appointment to this commission, please note the persons and real estate affected by the condemnation on the attached Notice(s) to determine whether or not you possess any interest which would cause you to render a biased decision.)

Due and legal service of foregoing Summons accepted and receipt of copy acknowledged at Winterset, Iowa, this 2nd day of April, 2003. I further certify that I do not possess any interest in the above proceedings which would cause me to render a biased decision therein.

Robert Van Scoy

Filed in my office at Winterset, Iowa, this 2nd day of April, 2003.

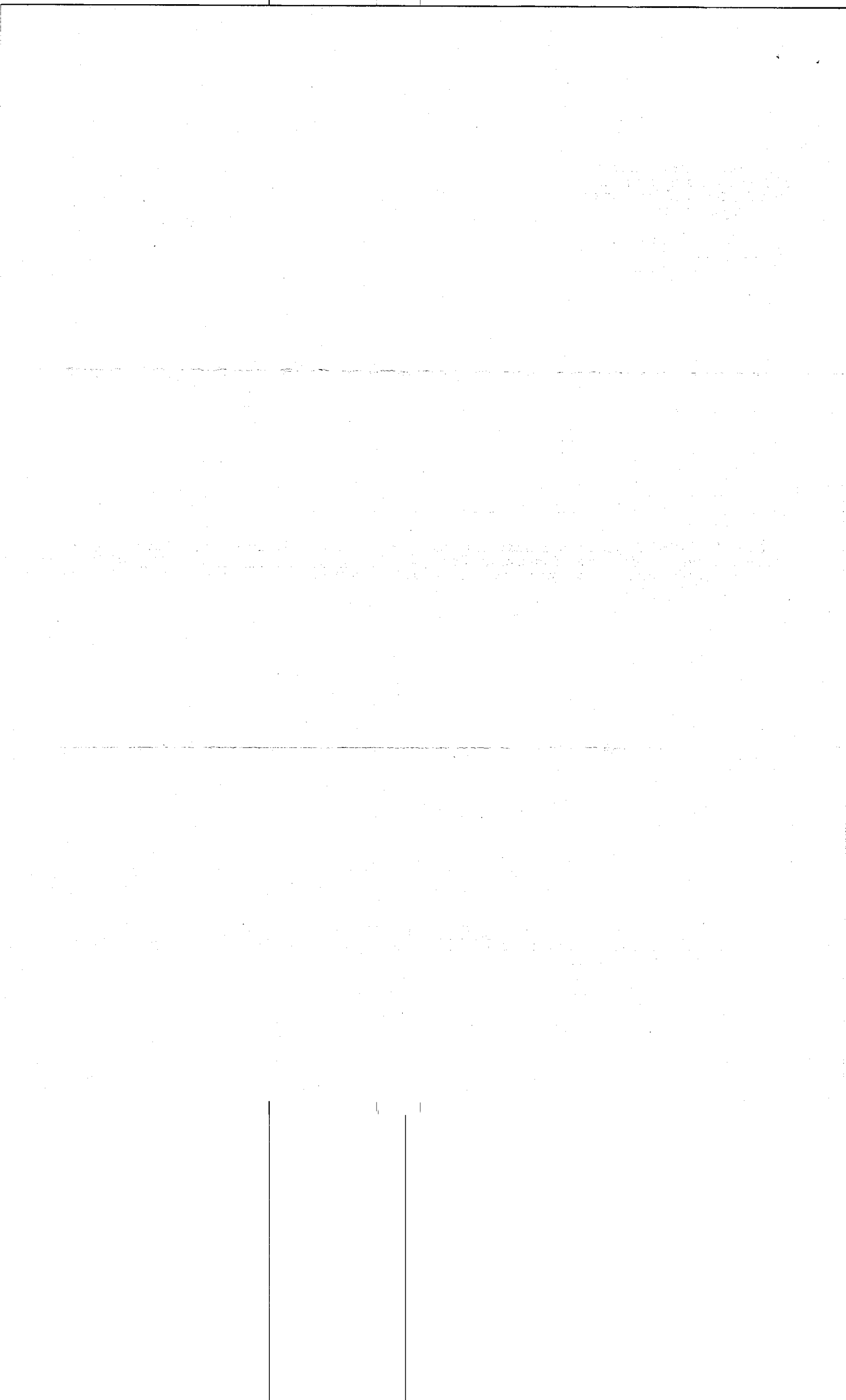


Paul Welch
Sheriff of Madison County, Iowa

REFUSAL TO SERVE

I will be unable to serve for the reason that I possess an interest in the proceeding which would cause me to render a biased decision, or for the reason that...

Please sign original summons and return promptly to the Sheriff of Madison County, Iowa.



In the Matter of the Condemnation
of Certain Rights in Land by the
Iowa Department of Transportation
for the Improvement of

SUMMONS TO COMMISSIONERS

Primary Road No. 92 north
of the City of Patterson
located in Madison County, Iowa

Project No. STPN-92-4(24)-2J-61 Group "A"

TO: LOREN MYERS

The Iowa Department of Transportation has filed with the Chief Judge of the 5th Judicial District including Madison County, Iowa, an Application and Notice of Condemnation for the selection of a Compensation Commission to assess the damages which owners, lienholders, encumbrancers and other persons interested in the land from which certain rights are sought to be appropriated by these proceedings will sustain by reason of such appropriation of the rights as described in the Application and Notice of Condemnation for the improvement and/or maintenance of roads and streets in Madison County, Iowa, and

Pursuant to Iowa law, you have been selected and appointed by the Chief Judge of the 5th Judicial District for Madison County, Iowa, as a member of such Compensation Commission, and such selection and appointment has been duly filed in my office and that Jim Kress has been designated as Chairperson of the Commission.

NOW, THEREFORE, you are commanded to be and appear before the undersigned in the office of the Sheriff at Winterset, Madison County, State of Iowa, on the 3rd day of June, 2003, at 9:30 o'clock a.m. (dst) for the purpose of qualifying as such Commission, and proceed to view said premises and make an award of damages as by law provided.

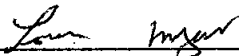


Paul Welch
Sheriff of Madison County, Iowa


ACCEPTANCE OF SERVICE

(Before accepting appointment to this commission, please note the persons and real estate affected by the condemnation on the attached Notice(s) to determine whether or not you possess any interest which would cause you to render a biased decision.)

Due and legal service of foregoing Summons accepted and receipt of copy acknowledged at macksburg Ia Iowa, this 14 day of April, 2003. I further certify that I do not possess any interest in the above proceedings which would cause me to render a biased decision therein.



Filed in my office at Winterset, Iowa, this 15th day of April, 2003.

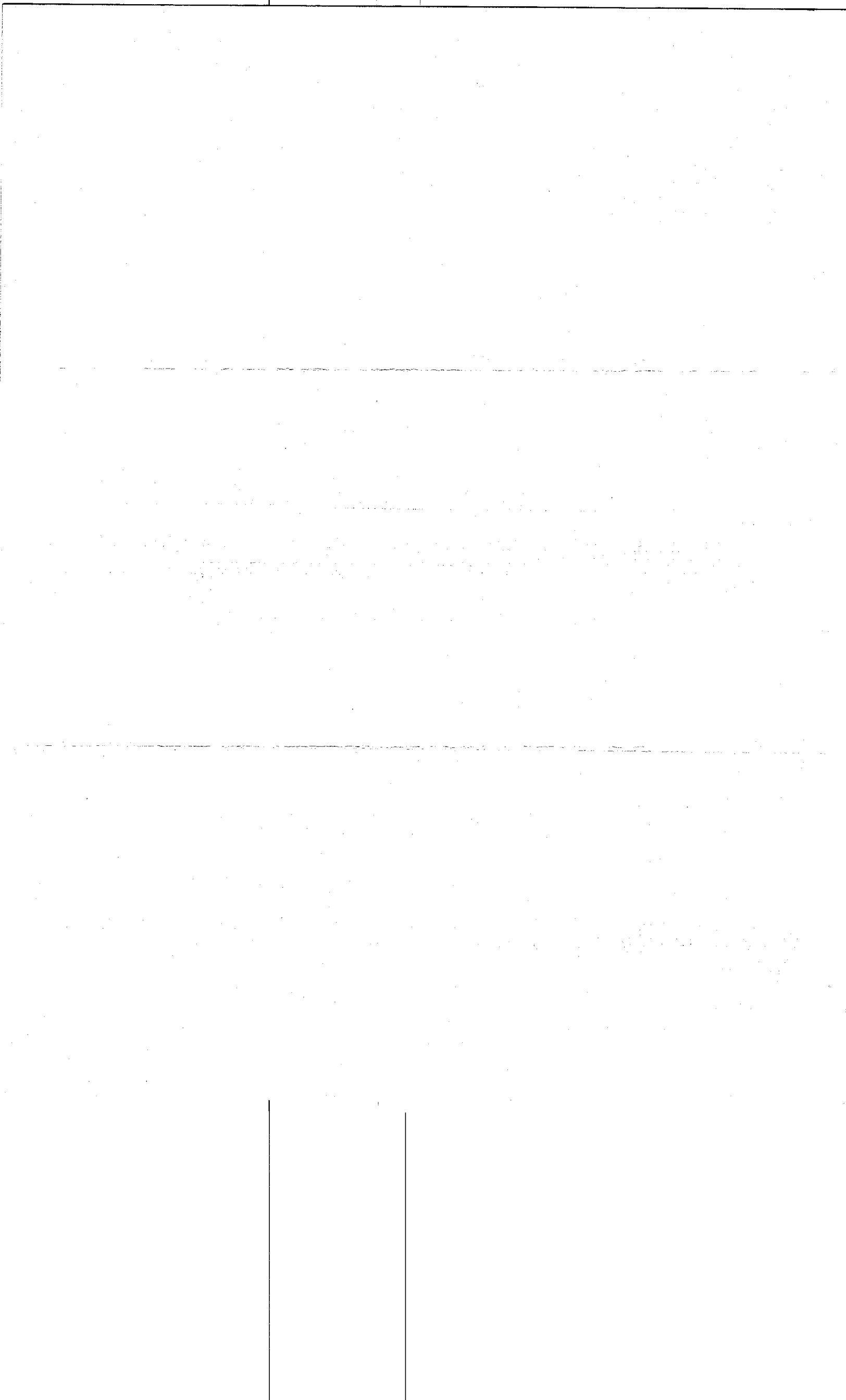


Paul Welch
Sheriff of Madison County, Iowa

REFUSAL TO SERVE

I will be unable to serve for the reason that I possess an interest in the proceeding which would cause me to render a biased decision, or for the reason that...

Please sign original summons and return promptly to the Sheriff of Madison County, Iowa.



In the Matter of the Condemnation
of Certain Rights in Land by the
Iowa Department of Transportation
for the Improvement of

SUMMONS TO COMMISSIONERS

Primary Road No. 92 north
of the City of Patterson
located in Madison County, Iowa

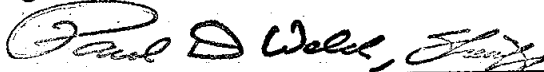
Project No. STPN-92-4(24)-2J-61 Group "A"

TO: Phil Macumber

The Iowa Department of Transportation has filed with the Chief Judge of the 5th Judicial District including Madison County, Iowa, an Application and Notice of Condemnation for the selection of a Compensation Commission to assess the damages which owners, lienholders, encumbrancers and other persons interested in the land from which certain rights are sought to be appropriated by these proceedings will sustain by reason of such appropriation of the rights as described in the Application and Notice of Condemnation for the improvement and/or maintenance of roads and streets in Madison County, Iowa, and

Pursuant to Iowa law, you have been selected and appointed by the Chief Judge of the 5th Judicial District for Madison County, Iowa, as a member of such Compensation Commission, and such selection and appointment has been duly filed in my office and that Jim Kress has been designated as Chairperson of the Commission.

NOW, THEREFORE, you are commanded to be and appear before the undersigned in the office of the Sheriff at Winterset, Madison County, State of Iowa, on the 3rd day of June, 2003, at 9:30 o'clock a.m. (dst) for the purpose of qualifying as such Commission, and proceed to view said premises and make an award of damages as by law provided.

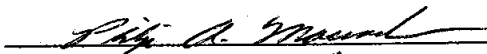


Paul Welch
Sheriff of Madison County, Iowa


ACCEPTANCE OF SERVICE

(Before accepting appointment to this commission, please note the persons and real estate affected by the condemnation on the attached Notice(s) to determine whether or not you possess any interest which would cause you to render a biased decision.)

Due and legal service of foregoing Summons accepted and receipt of copy acknowledged at Winterset, Iowa, this 22 day of March, 2003. I further certify that I do not possess any interest in the above proceedings which would cause me to render a biased decision therein.



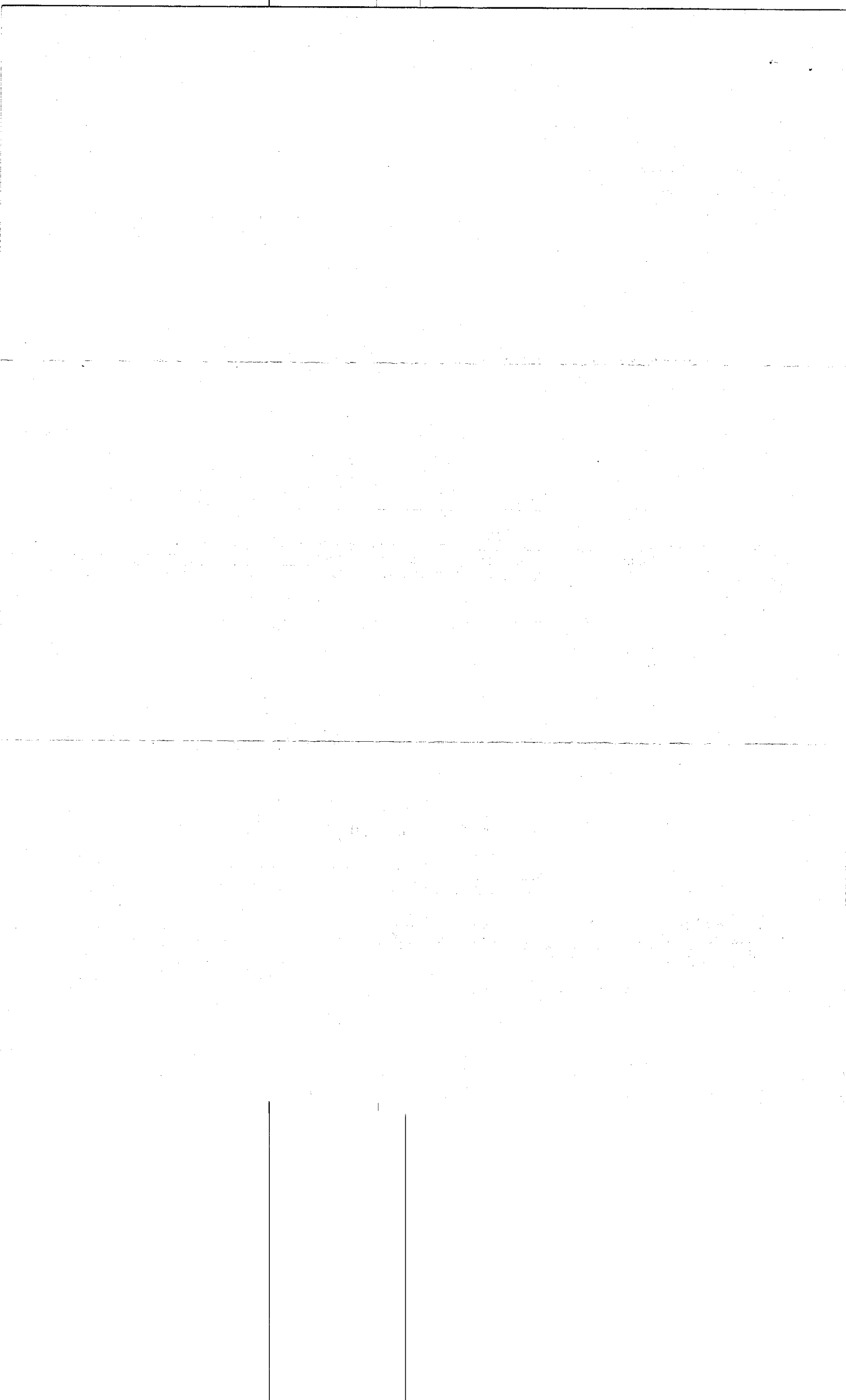
Filed in my office at Winterset, Iowa, this 25th day of March, 2003.


Paul Welch
Sheriff of Madison County, Iowa

REFUSAL TO SERVE

I will be unable to serve for the reason that I possess an interest in the proceeding which would cause me to render a biased decision, or for the reason that...

Please sign original summons and return promptly to the Sheriff of Madison County, Iowa.



In the Matter of the Condemnation
of Certain Rights in Land by the
Iowa Department of Transportation
for the Improvement of

SUMMONS TO COMMISSIONERS

Primary Road No. 92 north
of the City of Patterson
located in Madison County, Iowa

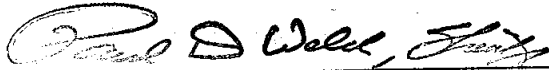
Project No. STPN-92-4(24)-2J-61 Group "A"

TO: Jim Mease

The Iowa Department of Transportation has filed with the Chief Judge of the 5th Judicial District including Madison County, Iowa, an Application and Notice of Condemnation for the selection of a Compensation Commission to assess the damages which owners, lienholders, encumbrancers and other persons interested in the land from which certain rights are sought to be appropriated by these proceedings will sustain by reason of such appropriation of the rights as described in the Application and Notice of Condemnation for the improvement and/or maintenance of roads and streets in Madison County, Iowa, and

Pursuant to Iowa law, you have been selected and appointed by the Chief Judge of the 5th Judicial District for Madison County, Iowa, as a member of such Compensation Commission, and such selection and appointment has been duly filed in my office and that Jim Kress has been designated as Chairperson of the Commission.

NOW, THEREFORE, you are commanded to be and appear before the undersigned in the office of the Sheriff at Winterset, Madison County, State of Iowa, on the 3rd day of June, 2003, at 9:30 o'clock a.m. (dst) for the purpose of qualifying as such Commission, and proceed to view said premises and make an award of damages as by law provided.



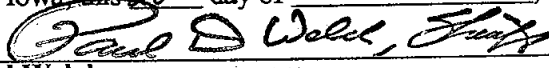
Paul Welch
Sheriff of Madison County, Iowa

ACCEPTANCE OF SERVICE

(Before accepting appointment to this commission, please note the persons and real estate affected by the condemnation on the attached Notice(s) to determine whether or not you possess any interest which would cause you to render a biased decision.)

Due and legal service of foregoing Summons accepted and receipt of copy acknowledged at _____ Iowa, this _____ day of _____, 20____. I further certify that I do not possess any interest in the above proceedings which would cause me to render a biased decision therein.

Filed in my office at Winterset, Iowa this 25th day of March, 2003.



Paul Welch
Sheriff of Madison County, Iowa

REFUSAL TO SERVE

I will be unable to serve for the reason that I possess an interest in the proceeding which would cause me to render a biased decision, or for the reason that... I am a member of the Iowa Bankers Association Board of Directors
This year and our quarterly board meeting is on June 3rd in Johnston, Ia.

James L. Mease 3-24-03

Please sign original summons and return promptly to the Sheriff of Madison County, Iowa.

THE UNIVERSITY OF CHICAGO
LIBRARY

In the Matter of the Condemnation
of Certain Rights in Land by the
Iowa Department of Transportation
for the Improvement of

SUMMONS TO COMMISSIONERS

Primary Road No. 92 north
of the City of Patterson
located in Madison County, Iowa


Project No. STPN-92-4(24)-2J-61 Group "A"

TO: Sharon Christensen

The Iowa Department of Transportation has filed with the Chief Judge of the 5th Judicial District including Madison County, Iowa, an Application and Notice of Condemnation for the selection of a Compensation Commission to assess the damages which owners, lienholders, encumbrancers and other persons interested in the land from which certain rights are sought to be appropriated by these proceedings will sustain by reason of such appropriation of the rights as described in the Application and Notice of Condemnation for the improvement and/or maintenance of roads and streets in Madison County, Iowa, and

Pursuant to Iowa law, you have been selected and appointed by the Chief Judge of the 5th Judicial District for Madison County, Iowa, as a member of such Compensation Commission, and such selection and appointment has been duly filed in my office and that Jim Kress has been designated as Chairperson of the Commission.

NOW, THEREFORE, you are commanded to be and appear before the undersigned in the office of the Sheriff at Winterset, Madison County, State of Iowa, on the 3rd day of June, 2003, at 9:30 o'clock a.m. (dst) for the purpose of qualifying as such Commission, and proceed to view said premises and make an award of damages as by law provided.


Paul Welch
Sheriff of Madison County, Iowa

ACCEPTANCE OF SERVICE

(Before accepting appointment to this commission, please note the persons and real estate affected by the condemnation on the attached Notice(s) to determine whether or not you possess any interest which would cause you to render a biased decision.)

Due and legal service of foregoing Summons accepted and receipt of copy acknowledged at _____ Iowa, this _____ day of _____, 20____. I further certify that I do not possess any interest in the above proceedings which would cause me to render a biased decision therein.

Filed in my office at Winterset, Iowa, this 28th day of March, 2003.

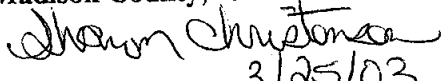

Paul Welch
Sheriff of Madison County, Iowa

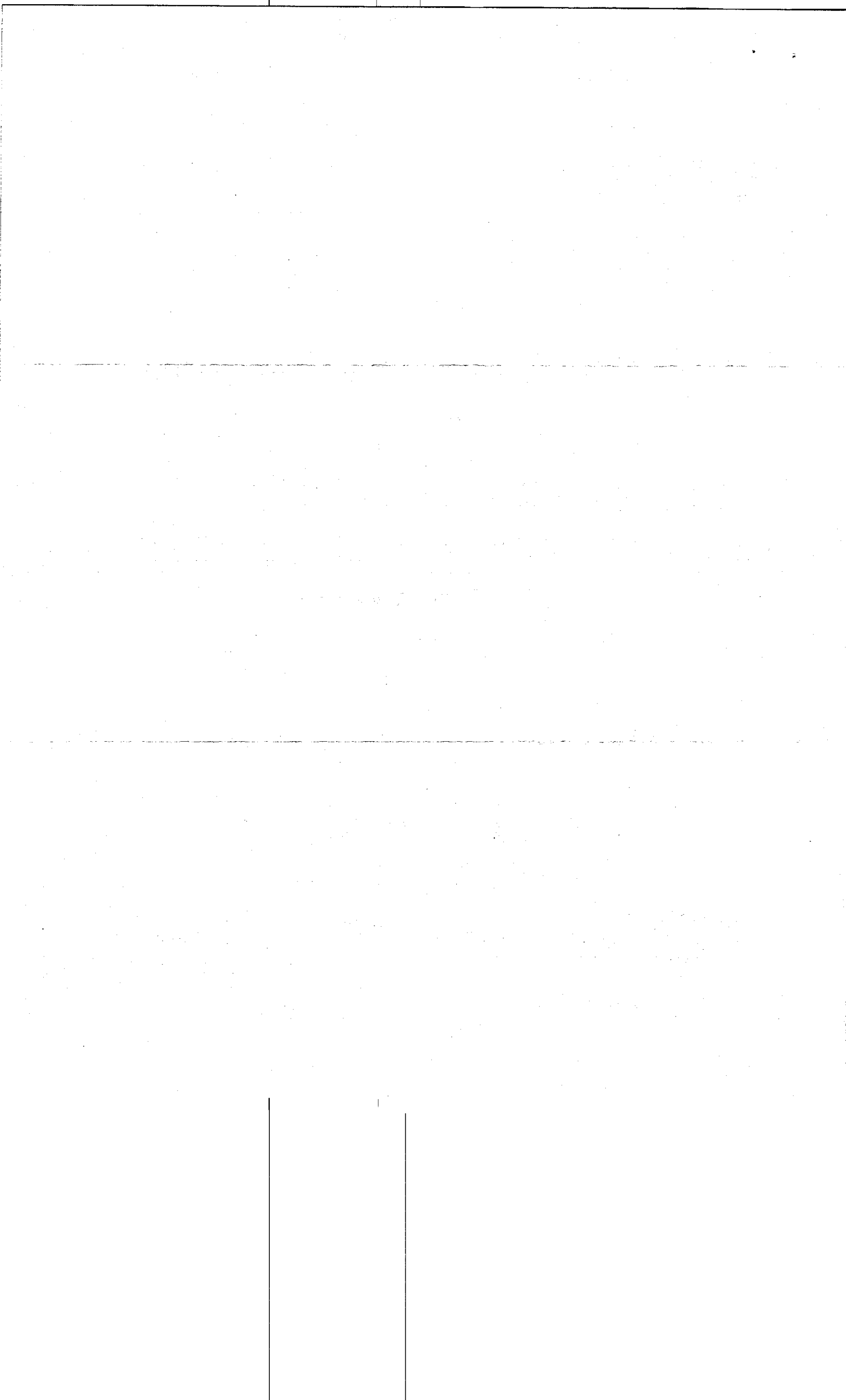
REFUSAL TO SERVE

I will be unable to serve for the reason that I possess an interest in the proceeding which would cause me to render a biased decision, or for the reason that...

I no longer live in Madison County. I am not interested in serving on this board.

Please sign original summons and return promptly to the Sheriff of Madison County, Iowa.


3/25/03



In the Matter of the Condemnation
of Certain Rights in Land by the
Iowa Department of Transportation
for the Improvement of

SUMMONS TO COMMISSIONERS

Primary Road No. 92 north
of the City of Patterson
located in Madison County, Iowa

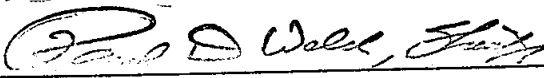
Project No. STPN-92-4(24)-2J-61 Group "A"

TO: JIM KRESS

The Iowa Department of Transportation has filed with the Chief Judge of the 5th Judicial District including Madison County, Iowa, an Application and Notice of Condemnation for the selection of a Compensation Commission to assess the damages which owners, lienholders, encumbrancers and other persons interested in the land from which certain rights are sought to be appropriated by these proceedings will sustain by reason of such appropriation of the rights as described in the Application and Notice of Condemnation for the improvement and/or maintenance of roads and streets in Madison County, Iowa, and

Pursuant to Iowa law, you have been selected and appointed by the Chief Judge of the 5th Judicial District for Madison County, Iowa, as a member of such Compensation Commission, and such selection and appointment has been duly filed in my office and that Jim Kress has been designated as Chairperson of the Commission.

NOW, THEREFORE, you are commanded to be and appear before the undersigned in the office of the Sheriff at Winterset, Madison County, State of Iowa, on the 3rd day of June, 2003, at 9:30 o'clock a.m. (dst) for the purpose of qualifying as such Commission, and proceed to view said premises and make an award of damages as by law provided.

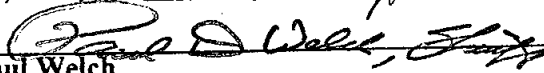

Paul Welch
Sheriff of Madison County, Iowa

ACCEPTANCE OF SERVICE

(Before accepting appointment to this commission, please note the persons and real estate affected by the condemnation on the attached Notice(s) to determine whether or not you possess any interest which would cause you to render a biased decision.)

Due and legal service of foregoing Summons accepted and receipt of copy acknowledged at _____ Iowa, this _____ day of _____, 20____. I further certify that I do not possess any interest in the above proceedings which would cause me to render a biased decision therein.

Filed in my office at Winterset, Iowa, this 3rd day of June, 2003.


Paul Welch
Sheriff of Madison County, Iowa

REFUSAL TO SERVE

I will be unable to serve for the reason that I possess an interest in the proceeding which would cause me to render a biased decision, or for the reason that...

Robert Johnson 6-303 Box 323 Euclawanta
155 NE 2ND

Please sign original summons and return promptly to the Sheriff of Madison County, Iowa.

RECEIVED [illegible]

RECEIVED [illegible]
[illegible]
[illegible]

In the Matter of the Condemnation
of Certain Rights in Land by the
Iowa Department of Transportation
for the Improvement of

OATH OF COMMISSIONERS

**Primary Road No. 92 north
of the City of Patterson
located in Madison County, Iowa**

Project No. STPN-92-4(24)--2J-61 Group "A"

STATE OF IOWA }
Madison County } ss

Each of the undersigned, being duly sworn, says:

That I do possess the qualifications listed under my name below, and

That I do not possess any interest in the proceeding which would cause me to render a biased decision,

and, that I will, to the best of my ability, faithfully and impartially assess the damages which owner(s), lienholders, encumbrancers and other persons interested in the land from which certain rights are sought to be appropriated by these proceedings will sustain by reason of the appropriation of the rights set forth and described in the Application and Notice of Condemnation in the Office of the Sheriff for the improvement of roads and streets and make a written report to the Sheriff as Authorized and prescribed in Chapters 28E, 306, 306A, 306B, 306C, 313, 6A, and 6B, Code of Iowa, and any amendments thereto, and in accordance with the instructions of the Chief Justice of the Supreme Court, and will truly perform any and all other duties imposed upon me by law as a member of the compensation commission selected and appointed to assess said damages.

Carol Landis

Name: CAROL LANDIS
Licensed Real Estate Salesperson
or Broker

Charles Tucker

Name: CHARLES TUCKER
Licensed Real Estate Salesperson
or Broker

Roy Foley

Name: ROY FOLEY
Knowledgeable of Property Values
by Virtue of Occupation

Loren Myers

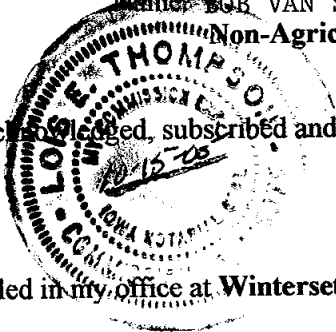
Name: LOREN MYERS
Knowledgeable of Property Values
by Virtue of Occupation

Bob Van Scoy

Name: BOB VAN SCOY
Non-Agricultural

Phil Macumber
Name: PHIL MACUMBER
Non-Agricultural

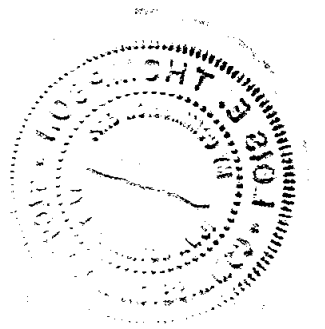
Accepted, subscribed and sworn to before me this 3rd day of June, 2003.



Lois E. Thompson
(Notary Public / Clerk of Court) in and for said County and State

Filed in my office at Winterset, Iowa, this 3rd day of June, 2003.

Paul D. Welch, Sheriff
Paul Welch
Sheriff of Madison County, Iowa



CONDEMNATION COMMISSIONERS STATEMENT

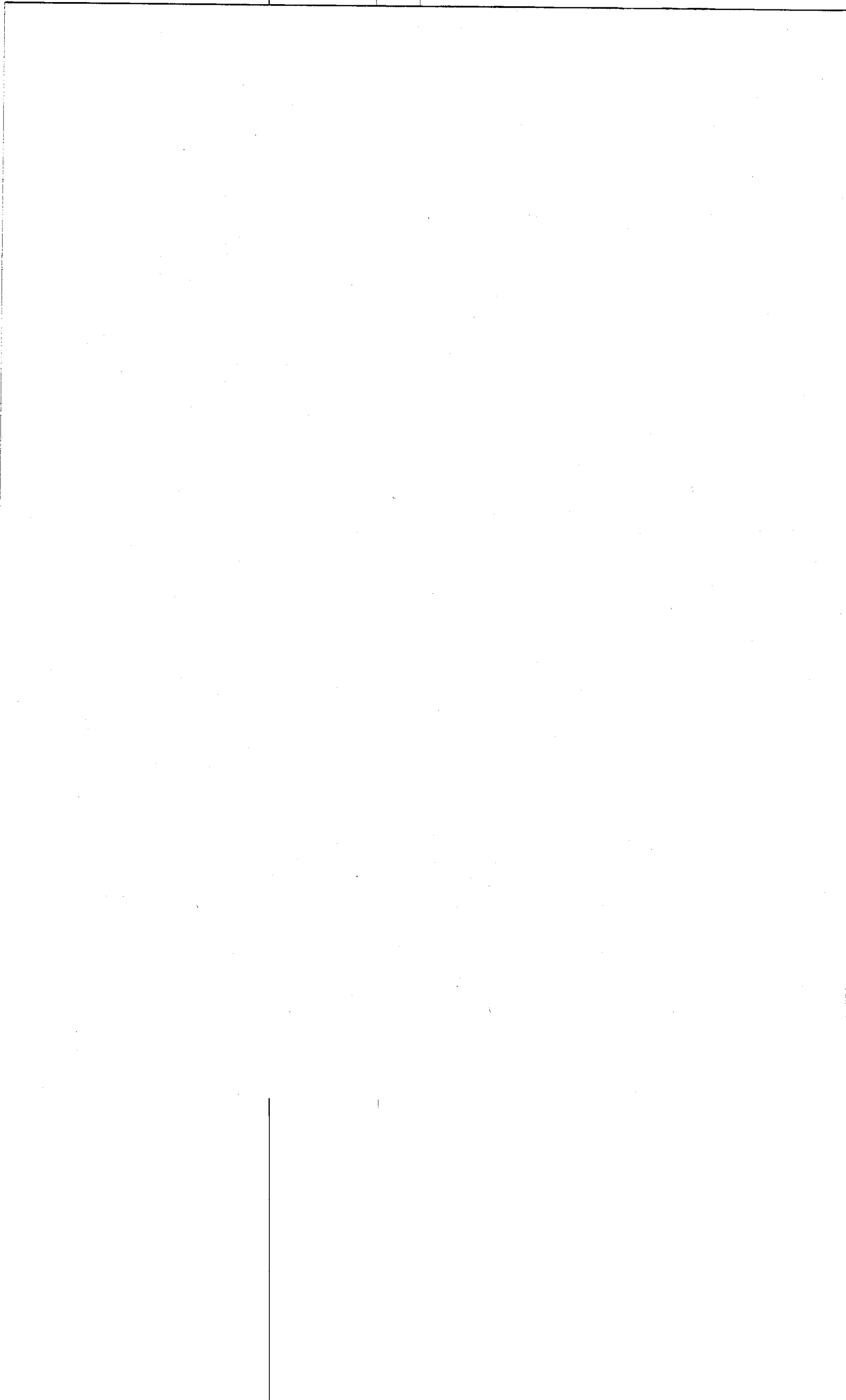
To the Sheriff of madison County

I certify that my fee and expenses as a member of the commission in the matter of the condemnation of certain real estate or rights to real estate for Project No. STPN 92-4(24) 2J-61, held on the 3 day of June, 2003, are as follows and that these claims are due, just and unpaid.

<u>1</u> day service at \$200.00	\$ <u>200.00</u>
<u> </u> miles at <u> </u> cents	\$ <u>3.10</u>
<u>0</u> meals	\$ <u> </u>

Signed this 3 day of June, 2003.

Carol E Landis
COMMISSIONER



CONDEMNATION COMMISSIONERS STATEMENT

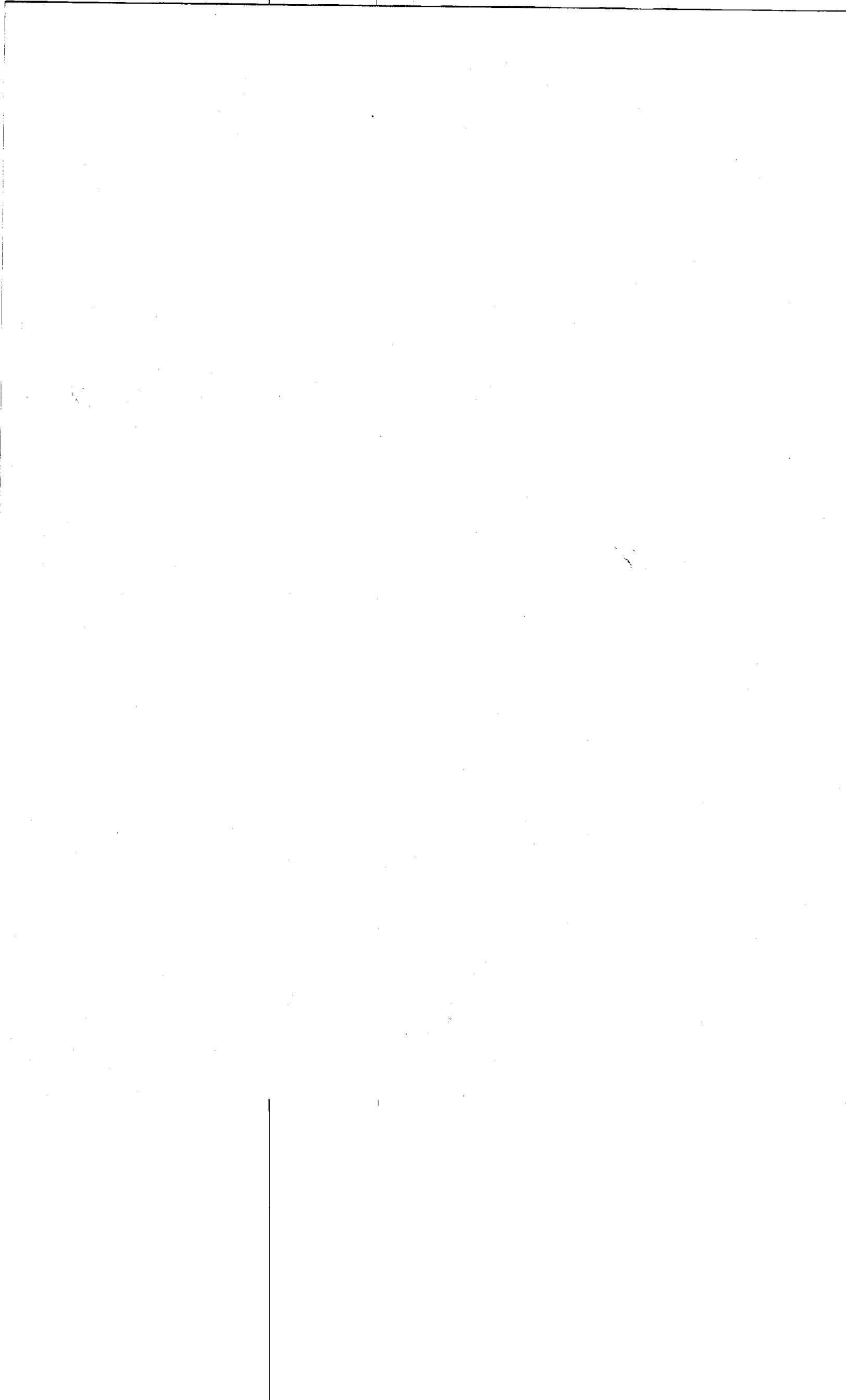
To the Sheriff of Madison County

I certify that my fee and expenses as a member of the commission in the matter of the condemnation of certain real estate or rights to real estate for Project No. STPN-92-4(24)-2561 held on the 31 day of June, 2003, are as follows and that these claims are due, just and unpaid.

<u>1</u> day service at \$200.00	\$	_____
<u>16</u> miles at _____ cents	\$	_____
<u>X</u> meals	\$	_____

Signed this 3 day of June, 2003

Roy Foley
COMMISSIONER



CONDEMNATION COMMISSIONERS STATEMENT

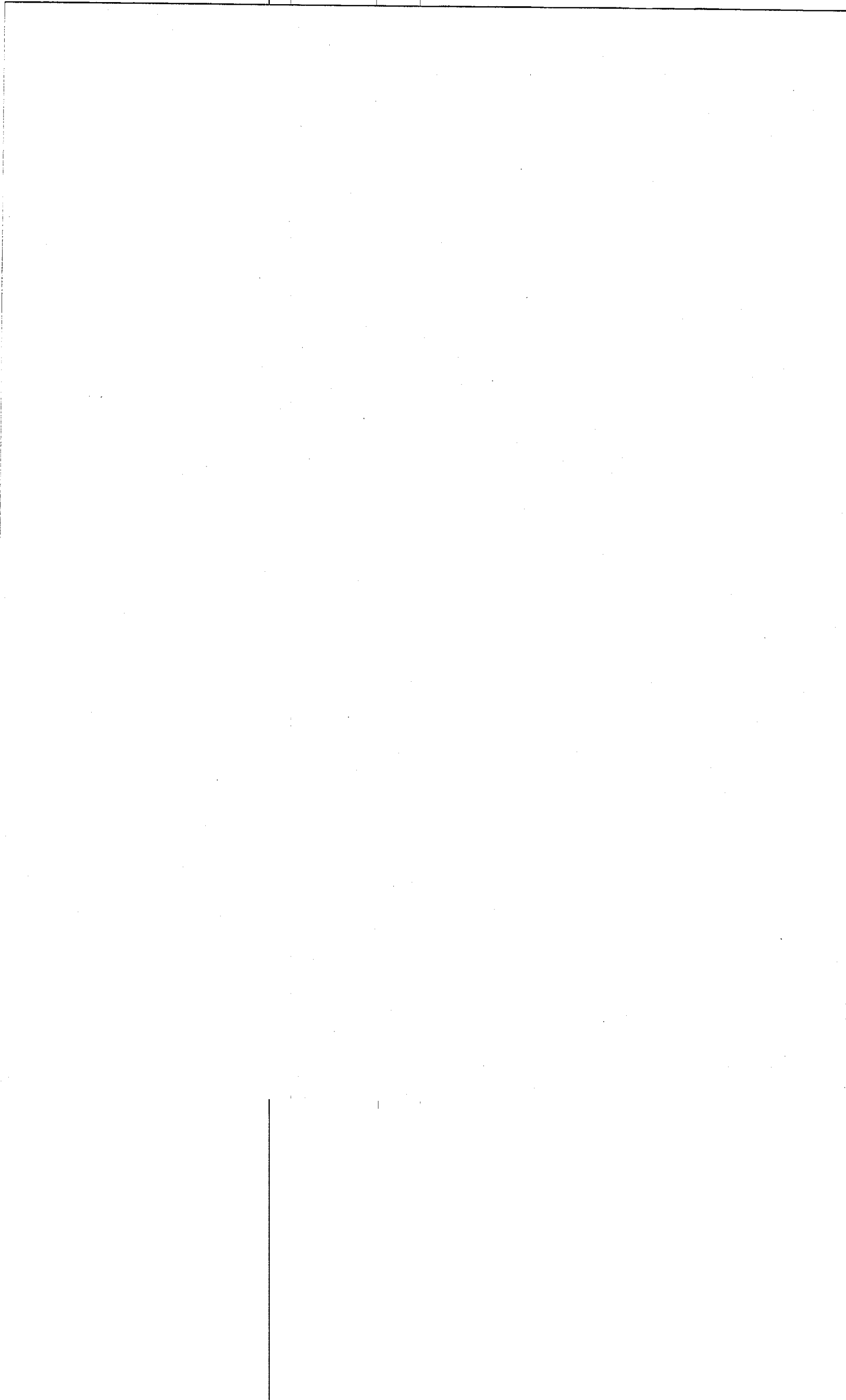
To the Sheriff of MADISON County

I certify that my fee and expenses as a member of the commission in the matter of the condemnation of certain real estate or rights to real estate for Project No. STPN-92-4(24)-25-61 held on the 3rd day of June, 2003, are as follows and that these claims are due, just and unpaid.

<u>1</u> day service at \$200.00	\$ <u>200⁰⁰</u>
<u> </u> miles at <u> </u> cents	\$ <u>3.10</u>
<u> </u> meals	\$ <u> </u>

Signed this 3rd day of June, 2003.

Bob Van Sway
COMMISSIONER



CONDEMNATION COMMISSIONERS STATEMENT

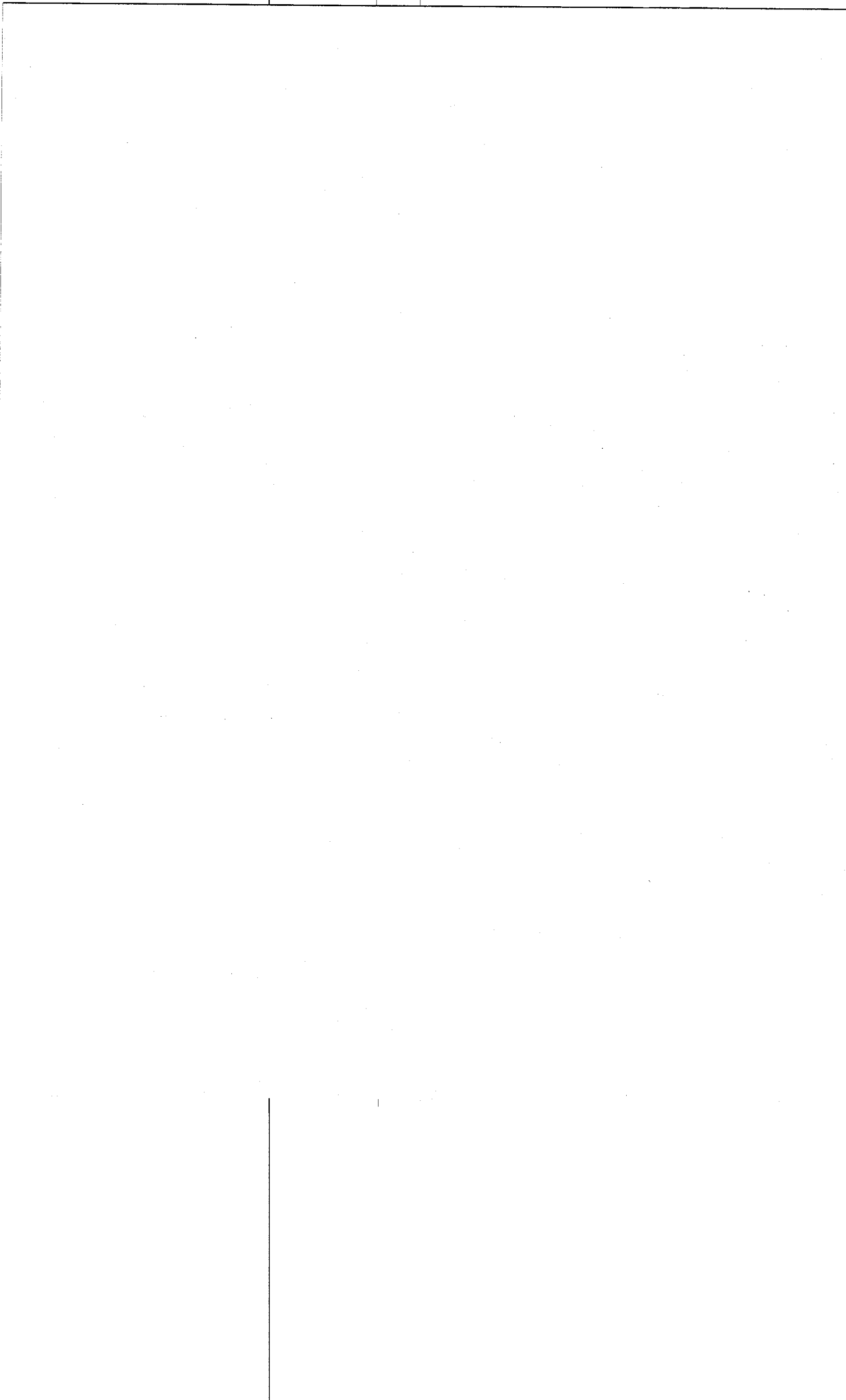
To the Sheriff of Madison County

I certify that my fee and expenses as a member of the commission in the matter of the condemnation of certain real estate or rights to real estate for Project No. STPN-92-4(24)-2J-61 held on the 3 day of June, 2003, are as follows and that these claims are due, just and unpaid.

<u>1</u> day service at \$200.00	\$ <u>200⁰⁰</u>
<u> </u> miles at <u> </u> cents	\$ <u>3¹⁰</u>
<u> </u> meals	\$ <u>0</u>

Signed this 3 day of June, 2003.

P. H. A. M. M.
COMMISSIONER



CONDEMNATION COMMISSIONERS STATEMENT

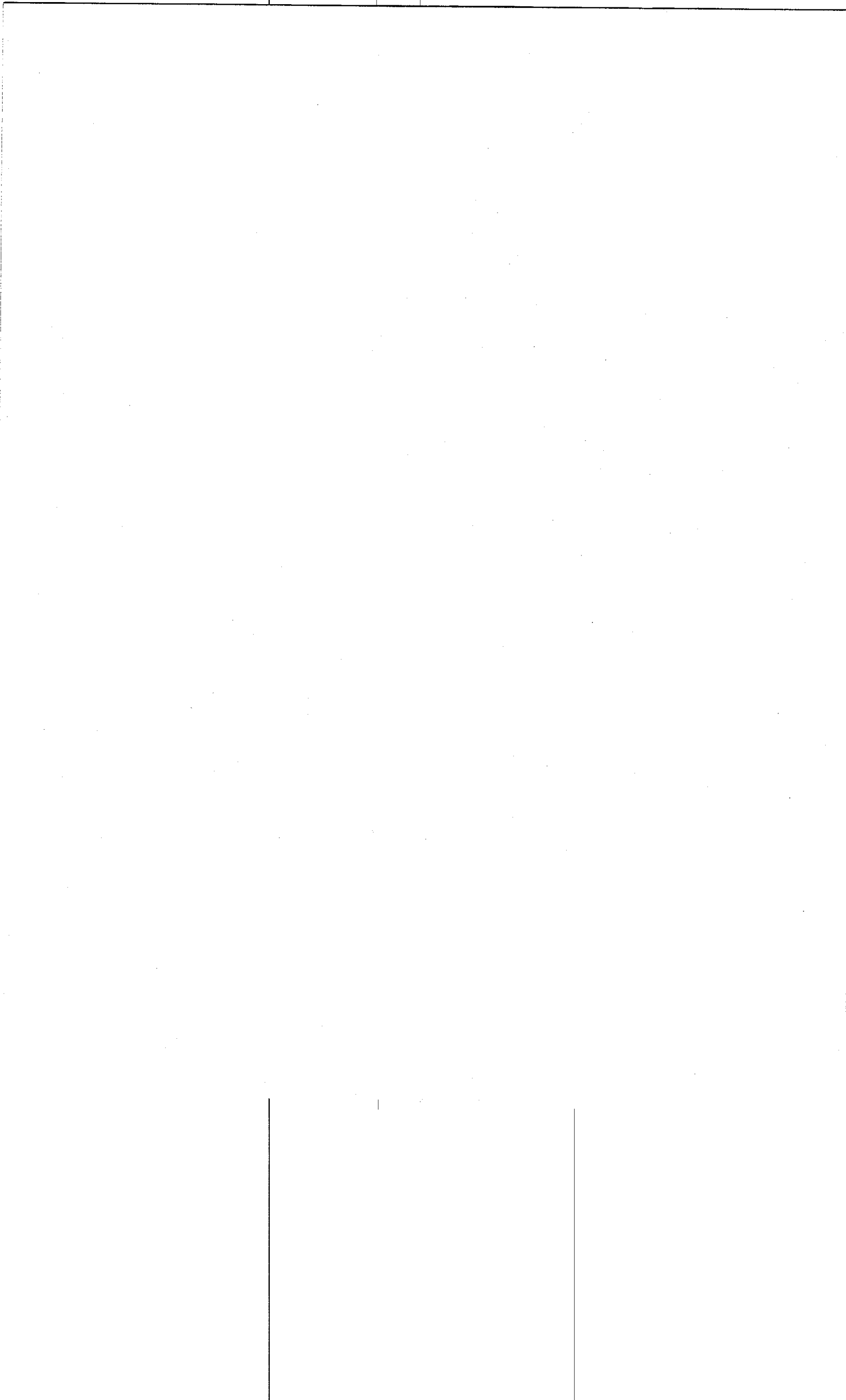
To the Sheriff of Madison County

I certify that my fee and expenses as a member of the commission in the matter of the condemnation of certain real estate or rights to real estate for Project No. STPN(92)-4(24)7J61 held on the 3rd day of June, 2003, are as follows and that these claims are due, just and unpaid.

<u>1</u> day service at \$200.00	\$ <u> </u>
<u> </u> miles at <u> </u> cents	\$ <u>3.10</u>
<u> </u> meals	\$ <u> </u>

Signed this 3rd day of June, 2003.

Charles Tucker
COMMISSIONER



CONDEMNATION COMMISSIONERS STATEMENT

To the Sheriff of Madison County

I certify that my fee and expenses as a member of the commission in the matter of the condemnation of certain real estate or rights to real estate for Project No. STPN-92-4(24-2561), held on the 3 day of June, 2003, are as follows and that these claims are due, just and unpaid.

<u> </u> day service at \$200.00	\$ <u>200.00</u>
<u>40</u> miles at <u>31</u> cents	\$ <u>12.40</u>
<u> </u> meals	\$ <u>12.40</u>
	<u>212.40</u>

Signed this 3 day of June, 2003.

Lou Mason
COMMISSIONER



RECEIVED
MADISON CO. SHERIFF
WINTERSSET, IOWA

MAR 18 2003

BY J. D. [Signature] AM/PM

In the Matter of the Condemnation of
Certain Rights in Land by the Iowa
Department of Transportation for the
Improvement of

Primary Road No. 92 north

of the City of Patterson

located in Madison County, Iowa

Project No. STPN-92-4(24)--2J-61

Group "A"

TO:

Dwayne Frazier also known as Dwayne W. Frazier, 390 School Street, Martensdale, Iowa
Dolores E. Frazier, 390 School Street, Martensdale, Iowa
Peoples Savings Bank, 111 North Buxton, Indianola, Iowa
Madison County, Iowa, c/o County Auditor, 112 N. John Wayne Dr., Winterset, Iowa

and to all other persons, companies or corporations having any interest in or owning any of the following described real estate:

Part of the NE $\frac{1}{4}$ SW $\frac{1}{4}$ of Section 29, T76N, R26W, of the 5th P.M., Madison County, Iowa.

You, and each of you, are hereby notified that the State of Iowa desires certain rights in land more specifically described as follows and shown with reference to their location as to land affected on the plats Exhibit "A" and Exhibit "B" (Total Ownership Plat Only) attached hereto and to the Application filed with the Chief Judge of the Judicial District containing Madison County, Iowa, and in the Office of the Sheriff of Madison County, Iowa, to which you are referred:

The title in fee simple sought to be appropriated for the use and benefit of the State of Iowa is in land described as follows:

A parcel of land located in the NE $\frac{1}{4}$ SW $\frac{1}{4}$ of Section 29, T76N, R26W of the 5th P.M., Madison County, Iowa, as shown on the plat, Exhibit "A", attached hereto and by reference made a part hereof:

Madison County Project No. STPN-92-4(24)--2J-61

Dwayne Frazier, et ux (Parcel 1)

Continued on next page

NOTICE

Said parcel is described as follows:

Commencing at the NW Corner of the NE $\frac{1}{4}$ SW $\frac{1}{4}$ of said Section 29; thence S1 $^{\circ}$ 41'11"E, 313.50 feet along the west line of the NE $\frac{1}{4}$ SW $\frac{1}{4}$ of said Section 29 to a point on the present southwesterly right of way line of Primary Road No. IA. 92; thence N89 $^{\circ}$ 24'21"E, 73.07 feet along said present southwesterly right of way line, to the Point of Beginning; thence continuing N89 $^{\circ}$ 24'21"E, 33.18 feet; thence southeasterly 173.56 feet along a 1470.89 foot radius curve, concave southwesterly and having a chord bearing S61 $^{\circ}$ 11'37"E, 173.46 feet; thence N64 $^{\circ}$ 21'02"W, 56.91 feet; thence N66 $^{\circ}$ 21'32"W, 146.14 feet to a point on the present southwesterly right of way line of Primary Road No. IA. 92, the Point of Beginning.

Said parcel contains 1,563 Square Feet of which 176 Square Feet is contained within existing highway easements.

In connection with this condemnation proceeding it is specifically provided as follows: Any and all improvements, including fences or agricultural crops, if any, located wholly within the land sought in fee simple title, are condemned in their entirety.

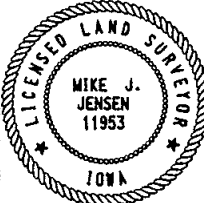
IOWA DEPARTMENT OF TRANSPORTATION



ACQUISITION PLAT
EXHIBIT 'A'

COUNTY MADISON STATE CONTROL NO. 81-0800
 PROJECT NO. STPN-92-4(24)--2J-61 PARCEL NO. 1
 SECTION 29 TOWNSHIP 76 N RANGE 26 W
 ROW-FEE * 1,563 Sq.Ft. EASE AC. EXCESS - FEE _____ AC
 ACQUIRED FROM DWAYNE FRAZIER, ET UX

* Includes 176 Square Feet Underlying Fee Title
and 1,387 Square Feet New Fee Simple Title




I hereby certify that this land surveying document was prepared by me and the related survey work was performed by me or under my direct supervision and that I am a duly licensed Land Surveyor under the laws of the State of Iowa.

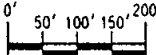
Mike Jensen 4-4-02
 Mike Jensen Date

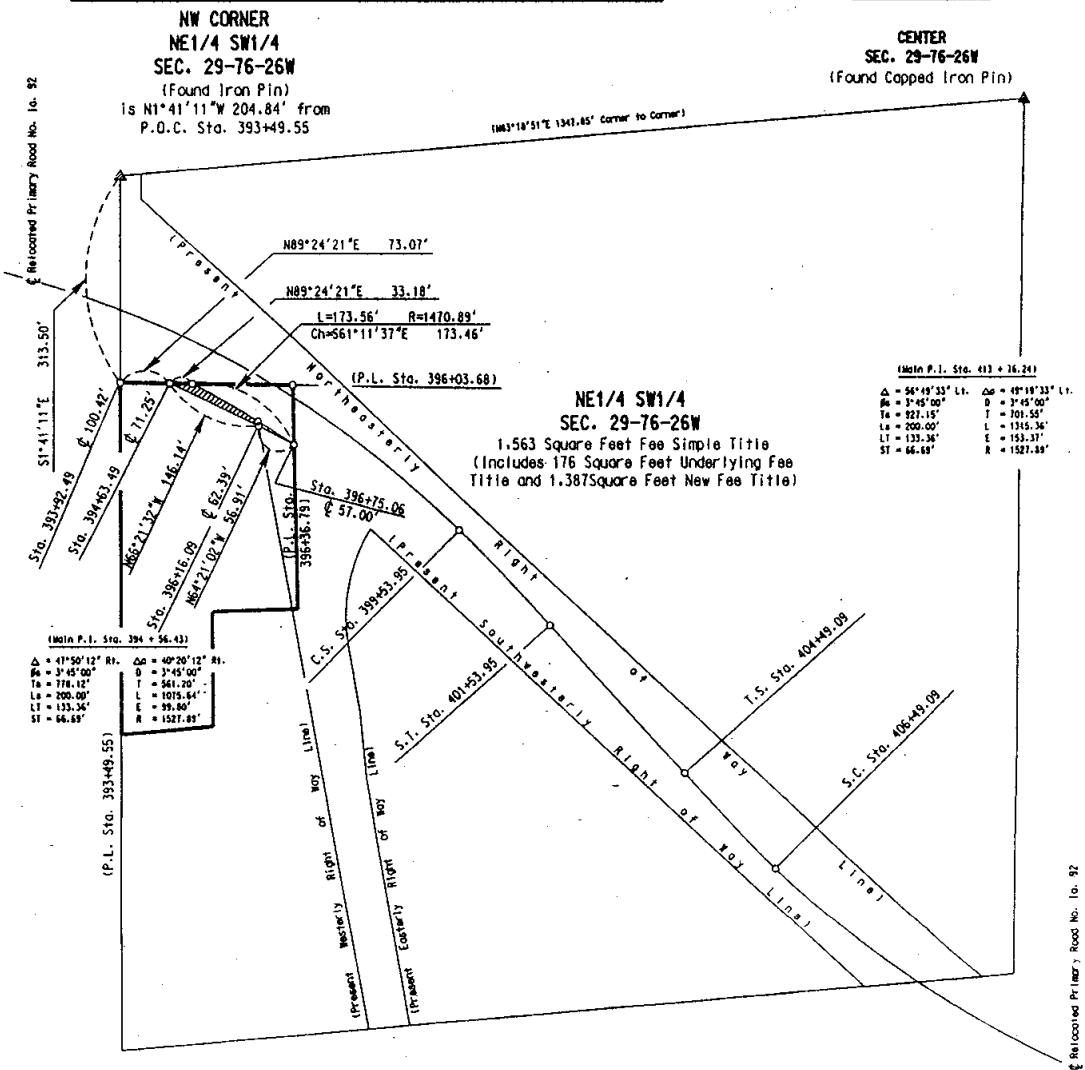
License number 11953
 Pages covered by this seal 1
 My Registration Renewal date is December 31, 2002

N



SCALE (FEET)
 0' 50' 100' 150' 200'



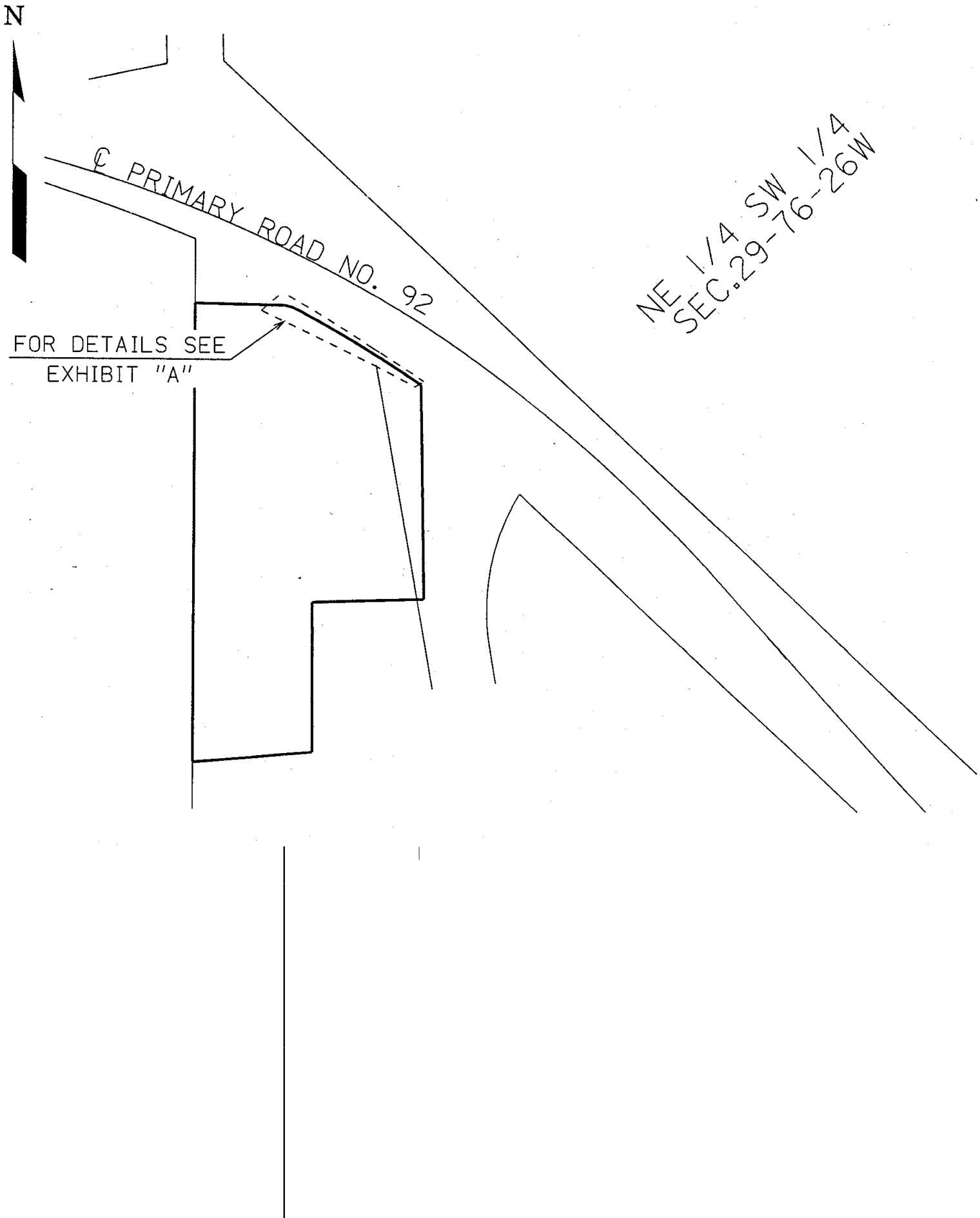


IOWA DEPARTMENT OF TRANSPORTATION
EXHIBIT "B"



COUNTY MADISON
PROJECT NO. STPN-92-4(24)--2J-61 PARCEL NO. 1
SECTION 29 TOWNSHIP 76N RANGE 26W
BORROW AC
ACQUIRED FROM DWAYNE FRAZIER, ET UX

TOTAL OWNERSHIP PLAT ONLY



That such condemnation is sought for the improvement and/or maintenance of roads and streets in the State of Iowa in the matter prescribed in Chapters 28E, 306, 306A, 306B, 306C, 313, 6A, and 6B of the Code of Iowa and all amendments thereto.

That a commission for the purpose of appraising and awarding damages which will be caused by said appropriation and condemnation has been selected and appointed.

You are further notified that the Commissioners will report to the Sheriff's Office in Winterset, Iowa, at 9:30 a.m. on the 3rd day of June, 20 03, and will view your property at approximately 10:00 a.m. on the same day. They will then return to the Sheriff's Office and proceed to appraise said damages. You may participate in these proceedings if you care to do so.

IOWA DEPARTMENT OF TRANSPORTATION
 DAVID A. FERREE
 Special Assistant Attorney General
 and General Counsel to the Iowa DOT

By Robert Dahlgren
 Robert Dahlgren
 Condemnation Unit Coordinator
 Office of Right of Way
 Iowa Department of Transportation
 Ames, Iowa 50010

ACCEPTANCE OF SERVICE

I accept service of the above notice, I acknowledge receipt of a copy and I waive time of service and any requirements that such notice be published in a newspaper.

Dated at 26 ^{1:30} this 26 day of March, 20 03.
Arlene Clewell - 1st Deputy Accounting

STATE OF IOWA)
 COUNTY OF _____) ss:

Received the within notice the 18th day of March, 20 03, and I hereby certify that I have served to each person named below by delivering a true copy of the same to each person at the time and place set opposite their respective names:

NAME	DATE	CITY OR TOWN	COUNTY	STATE
MADISON COUNTY AUDITOR	03/26/03	WINTERSET	MADISON	IOWA
blw/ ARLENE CLEWELL, DEPUTY AUDITOR				

FEES:
 Service \$ 15.00
 Mileage \$ 3.10
 TOTAL \$ 18.10

CHIEF DEPUTY Craig Busch, Chief Deputy
 Sheriff of MADISON County, Iowa



*** RETURN OF SERVICE ***

IN THE IOWA DISTRICT COURT FOR

MADISON COUNTY

CASE NAME: PERSONAL

IOWA DEPT OF TRANSPORTA
VS
FRAZIER,DWAYNE W
FRAZIER,DELORIS E
PEOPLES SAVINGS BANK
MADISON CO IOWA

CASE NO: STPN-92-4(42)-2

NOTICE RECEIVED: 03/19/03

STATE OF Iowa

WARREN CO SO COUNTY

I certify that I served a copy of: ORIG. NOTICE/APPLICATION

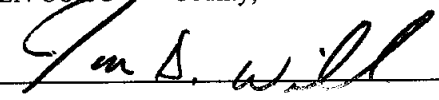
- Petition and Original Notice
- Modification/Application and Notice
- Order to Show Cause
- Order Filed _____
- Writ _____
- Other _____

Served FRAZIER,DWAYNE WILLIAM at 390 SCHOOL ST on 03/19/03 18:50
MARTENSDALE, IA 50160

NOTE:(Diligent Search, etc.)

Processing : 15.00
 Mileage : 6.60
 Trust/Copy : 0.00
 MISC. : 0.00
 TOTAL : 21.60

JAMES W LEE, SHERIFF
WARREN CO SO County, Iowa


Signature Title

Fees charged to/paidby Atty/Party: IOWA DEPT OF TRANSPORTATION

SECRET

CONFIDENTIAL
SECRET

CONFIDENTIAL

CONFIDENTIAL

CONFIDENTIAL

*** RETURN OF SERVICE ***

IN THE IOWA DISTRICT COURT FOR

MADISON COUNTY

CASE NAME: PERSONAL

IOWA DEPT OF TRANSPORTA
VS
FRAZIER,DWAYNE W
FRAZIER,DELORIS E
PEOPLES SAVINGS BANK
MADISON CO IOWA

CASE NO: STPN-92-4(42)-2

NOTICE RECEIVED: 03/19/03

STATE OF Iowa

WARREN CO SO COUNTY

I certify that I served a copy of: ORIG. NOTICE/APPLICATION

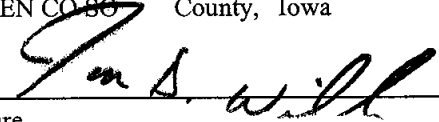
- Petition and Original Notice
- Modification/Application and Notice
- Order to Show Cause
- Order Filed _____
- Writ _____
- Other _____

Served FRAZIER,DELORIS E at 390 SCHOOL ST on 03/19/03 18:50
MARTENSDALE, IA 50160

NOTE:(Diligent Search, etc.)

Processing : 10.00
 Mileage : 0.00
 Trust/Copy : 0.00
 MISC. : 0.00
 TOTAL : 10.00

JAMES W LEE, SHERIFF
WARREN CO SO County, Iowa



 Signature Title

Fees charged to/paidby Atty/Party: IOWA DEPT OF TRANSPORTATION



*** RETURN OF SERVICE ***

IN THE IOWA DISTRICT COURT FOR

MADISON COUNTY

CASE NAME: BUSINESS

IOWA DEPT OF TRANSPORTA
VS
FRAZIER,DWAYNE W
FRAZIER,DELORIS E
PEOPLES SAVINGS BANK
MADISON CO IOWA

CASE NO: STPN-92-4(42)-2

NOTICE RECEIVED: 03/19/03

STATE OF: Iowa

WARREN CO SO COUNTY

I certify that I served a copy of: ORIG. NOTICE/APPLICATION

- Petition and Original Notice
- Modification/Application and Notice
- Order to Show Cause
- Order Filed _____
- Writ _____
- Other _____

Served PEOPLES SAVINGS BANK


by Serving WRIGHT,KEITH

its
SR VICE PRESIDENT
111 N BUXTON, IN INDIANOLA
on 03/20/03 at 10:19

NOTE:(Diligent Search, etc.)

Processing : 10.00
 Mileage : 1.50
 Trust/Copy : 0.00
 MISC. : 0.00
 TOTAL : 11.50

JAMES W LEE, SHERIFF
WARREN CO SO County, Iowa



 Signature Title

Fees charged to/paidby Atty/Party: IOWA DEPT OF TRANSPORT

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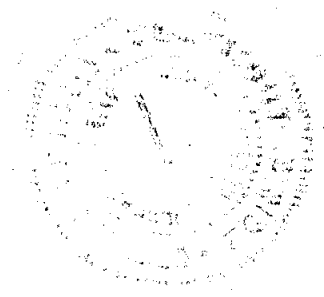
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In the Matter of the Condemnation
of Certain Rights in Land by the
Iowa Department of Transportation
for the Improvement of

AFFIDAVIT OF FINAL OFFER

**Primary Road No. 92 north
of the City of Patterson
located in Madison County, Iowa**

Project No. STPN-92-4(24)--2J-61 Group "A"

Parcel No. 1

On this the 3rd day of JUNE, 2003, comes the Iowa Department of Transportation and states, as by law provided, that the most recent offers made to the owner(s), lienholders, encumbrancers and other persons interested in the appropriation of certain specified rights in certain land as described by the Applicant in the Notice of Condemnation filed in the above matter are as follows:

Owner(s) & Lienholders \$ 2688.00

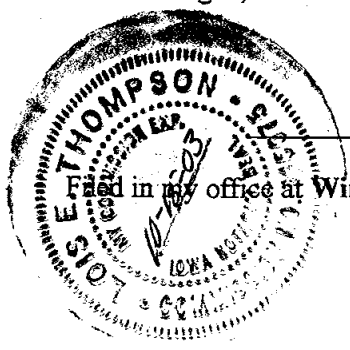
Dwayne Frazier
Dolores E. Frazier
Peoples Savings Bank
Madison County Treasurer

Tenant(s) \$

IOWA DEPARTMENT OF TRANSPORTATION

By *[Signature]*
Condemnation Hearing Compliance Officer
Office of Right of Way

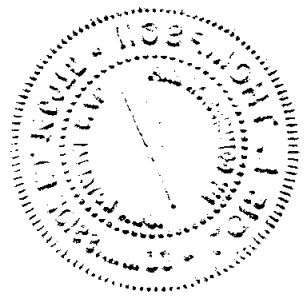
Acknowledged, subscribed and sworn to before me this 3rd day of June, 2003.



Lois E. Thompson
(Notary Public / ~~Clerk of Court~~) in and for said County and State

Filed in my office at Winterset, Iowa, this 3rd day of June, 2003.

Paul D. Welch, Sheriff
Paul Welch
Sheriff of Madison County, Iowa



In the Matter of the Condemnation
of Certain Rights in Land by the
Iowa Department of Transportation
for the Improvement of

Primary Road No. 92 north
of the City of Patterson
located in Madison County, Iowa

**REPORT OF
COMPENSATION
COMMISSION**

Project No. STPN-92-4(24)-2J-61 Group "A"

TO: Paul Welch, Sheriff of Madison County, Iowa

We, the undersigned, being duly-appointed and qualified Commissioners appointed to assess the damages sustained by the owners, lienholders, encumbrancers and other persons interested in the appropriation of certain specified rights as set forth and described in the Notice of Condemnation filed in the above-entitled matter, respectfully report as follows.

That we proceeded to view the respective premises at the time or times fixed in the notice to persons interested therein and do hereby assess and appraise the damages which the respective persons will sustain by reason of the appropriation as follows:

	Land and Improvements	Consequential Damages	Condemnee's Total Award	Condemnee's Attorney Fees and Costs
PARCEL 1:			\$ 5400.00	\$ 600.00
Dwayne Frazier	\$	\$	\$	\$
Dolores E. Frazier	\$	\$	\$	\$
Peoples Savings Bank	\$	\$	\$	\$
Madison County Treasurer	\$	\$	\$	\$
	\$	\$	\$	\$
	\$	\$	\$	\$
	\$	\$	\$	\$
	\$	\$	\$	\$
	\$	\$	\$	\$
	\$	\$	\$	\$
Value of Condemnee's dwelling:	\$	\$	\$	\$

Respectfully reported at Winterset, Iowa, this 3 day of June, 2003.
Carol E. Landis
Bob Van Seay
Boyd Folley
Charles T. Hicken

I certify that the above amounts are legally payable to each claimant and that the claim is correct and just and that payment has not been received.

Filed in my office at Winterset, Iowa, this 3 day of June, 2003.
Paul D. Welch, Sheriff
Paul Welch
Sheriff of Madison County, Iowa

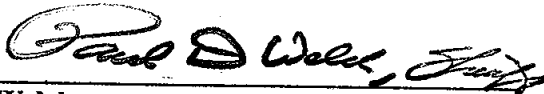
In the Matter of the Condemnation
of Certain Rights in Land by the
Iowa Department of Transportation
for the Improvement of

Primary Road No. 92 north
of the City of Patterson
located in Madison County, Iowa

Project No. STPN-92-4(24)-2J-61 Group "A"

**ENDORSEMENT OF SHERIFF
OF MAILING OF NOTICE OF
APPRAISEMENT OF DAMAGES
AND TIME FOR APPEAL**

I, the undersigned, hereby endorse and certify that a true copy of the *Notice of Appraisal of Damages and Time for Appeal* was served upon each of the parties of this proceeding, as listed herein, by enclosing said *Notice* in an envelope addressed to each such party at their respective last-known mailing address as disclosed by the record in the *Application to the Chief Judge* (excepting those parties, if any, listed below), with postage prepaid, and by depositing said envelope in a United States Post Office depository in Winterset, Iowa, on the 3rd day of June, 20003.



Paul Welch
Sheriff of Madison County, Iowa

Report of Compensation Commissioners

Page 3
of 6

Minutes of Deliberations

Date 6-3-03 Time 9:30 am. Place sherrif office

Members present: Carol E Jandis Bob Van Sledright
Laura M. Jandis Roy Foley Chacka Tucker

Minutes: Att. Mike Jackson presiding Don Stevens
engineer Jim Fowler - Indinola Attourney
representing Fraziers (Patterson
agreement reached. prior to viewing property.
\$ 5,400.00 Reward Frazier, Attourney \$600.00

A vote was taken at sherrif office
at 10:10 AM all commissioners
in favor of agreement
reward \$5,400.00 to property owner
\$1600.00 For Frazier Attourney Jim Fowler

Carol E Jandis
chair person

Report of Compensation Commissioners

Results of votes taken by the Commissioners during the meeting are as follows:

Date 6-3-03 Time 10:10

Commissioner Name	Category	Vote
Carollandis Carol Landis	compensation settlement	yes
Philip A Macomber Philip A Macomber		Yes
BOBUAN SCAY Bob Lansey		YES
Roy Foley Roy Foley		yes
Charles Tucker Charles Tucker		yes
LORAN Myers Loran Myers		yes

Note to Commissioners: Complete a separate sheet for each vote taken. The results of each vote taken during closed session must be made public after reconvening in open session.

Project number STPN 92 4(24)-2J-61
 \$5400.00 to Fraziers
 \$600.00 to Frazier Attorney
 settlement agreement.





Iowa Department of Transportation

800 Lincoln Way, Ames, IA 50010-6993 PHONE: 515-239-1029

FAX: 515-239-1247

March 5, 2003

When corresponding, refer to:

Madison County
Project STPN-92-4(24)—2J-61
Group "A"
Parcel No(s). 1

Madison County Recorder
Madison County Courthouse
112 N. John Wayne Drive
Winterset, IA 50273

Dear Recorder:

I enclose the original Application for Condemnation which has been approved by the Chief Judge. In accord with Sec. 6B.3(3), the Iowa Department of Transportation is to file the original approved Application with the County Recorder in the manner required under Sec. 6B.37.

Please file and index this Application in the record of deeds as required by Sec. 6B.38 and 558.55. After filing and indexing, file a copy of the Application with the Office of the Secretary of State.

Complete and sign the certification below and promptly return this letter to me in the envelope provided. If you have questions, contact this office at 515-239-1813. Thank you.

Sincerely,

Robert Dahlgren
Condemnation Unit Coordinator
Office of Right of Way

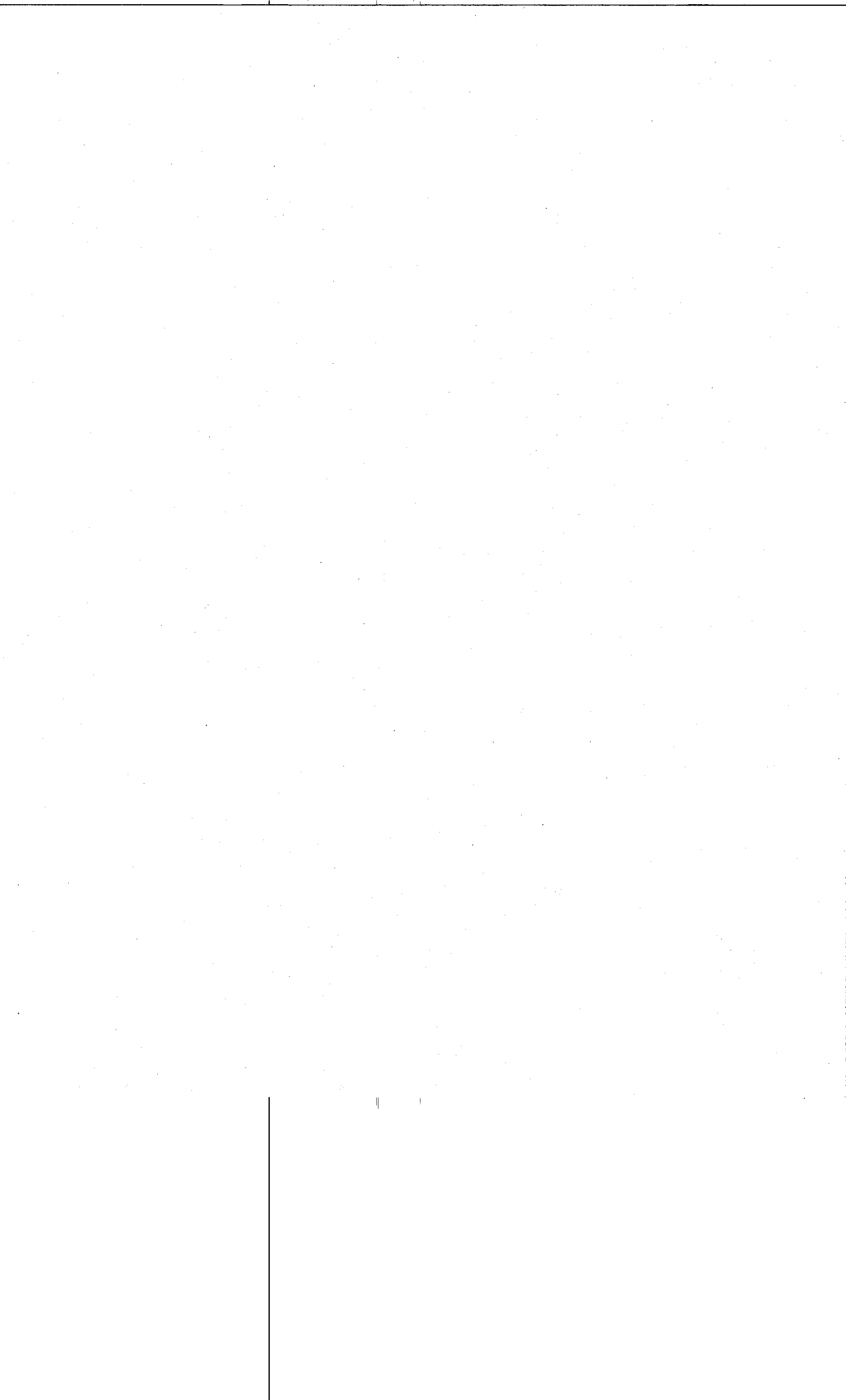
Enc.

STATE OF IOWA)
) ss.
COUNTY OF MADISON)

I, MICHELLE UTSLER, Recorder of MADISON County, Iowa, do hereby certify that the original approved Application for Condemnation was filed in my office on the 10TH day of MARCH, 20 03, and is recorded in Book 2003, Page 1300, or as Instrument or Document No. 1300, of the records of said county, as provided by law.

I certify that the fee for recording these papers is in the amount of \$ 26.00 and that said amount is legally payable and that the claim is correct and just and that payment has not been received.

(sign in ink)
MICHELLE UTSLER (print/type name)
MADISON County Recorder



In the Matter of the Condemnation
of Certain Rights in Land by the
Iowa Department of Transportation
for the Improvement of

Primary Road No. 92 north
of the City of Patterson
located in Madison County, Iowa

**SHERIFF'S CERTIFICATION
AS TO AWARDS AND COSTS**

Project No. STPN-92-4(24)-2J-61 Group "A"

**THE ORIGINAL CERTIFIED APPLICATION FOR CONDEMNATION IS RECORDED IN
BOOK 2003, PAGE 1300, OR INSTRUMENT/DOCUMENT NUMBER 1300,
AND DATED March 10, 2003.**

TO: Iowa Department of Transportation, Ames, Iowa

I certify that the commissioners in the above-entitled cause convened at Winterset, Iowa,
on the 3rd day of June, 2003, and thereupon proceeded to view the premises, and said
commissioners did on the 3rd day of June, 2003, file their report in my office, awarding
damages as follows:

NAMES OF CONDEMNEES	AWARD	ATTORNEY FEES AND COSTS
<u>Dwayne Frazier aka/Dwayne W. Frazier</u>	<u>\$5,400.00</u>	<u>\$ 600.00</u>
<u>Dolores E. Frazier</u>	<u>\$</u>	<u>\$</u>
<u>Peoples Savings Bank</u>	<u>\$</u>	<u>\$</u>
<u>Madison County Auditor</u>	<u>\$</u>	<u>\$</u>
<u>\$</u>	<u>\$</u>	<u>\$</u>
TOTAL DAMAGES AWARDED:	\$	\$

I certify that the costs incident to this proceeding are taxed and Notices were served as listed below:
(attach separate list if necessary)

Date	Names of Condemnees	Service Fee	Mileage x Rate Per Mile = Amount	Sum
031903	Dwayne William Frazier	\$15.00	\$6.60	\$ 21.60
031903	Doloris E. Frazier	10.00	0.00	10.00
032003	Peoples Savings Bank	10.00	1.50	11.50
032603	Madison County Auditor	15.00	3.10	18.10
032103	Postage			8.88

Sub Total \$ 70.08

Sheriff's Fees
Summing and attending Commissioners (includes service fees)
(Maximum allowed by Code Section 331.655 is \$100.00) \$ 100.00

Mileage while summoning and attending Commissioners
(_____ miles x \$ _____ per mile) \$ _____

TOTAL: \$ 170.08

Paul D Welch, Sheriff

Paul Welch
Sheriff of Madison County, Iowa

COMMISSIONERS' COSTS

-2-

CAROL LANDIS of
2370 148th St, Winterset, Iowa

1 day service \$ 200.00
10 miles at 31 cents 3.10
 _____ meals _____

TOTAL \$ 203.10

PHIL MACUMBER of
326 N. 8th Ave, Winterset, Iowa

1 day service \$ 200.00
10 miles at 31 cents 3.10
 _____ meals _____

TOTAL \$ 203.10

ROY FOLEY of
1421 Hwy 92, Winterset, Iowa

1 day service \$ 200.00
16 miles at 31 cents 4.96
 _____ meals _____

TOTAL \$ 204.96

CHARLES TUCKER of
2089 Hwy 92, Winterset, Iowa

1 day service \$ 200.00
10 miles at 31 cents 3.10
 _____ meals _____

TOTAL \$ 203.10

BOB VAN SCOY of
704 S 8th Ave, Winterset, Iowa

1 day service \$ 200.00
10 miles at 31 cents 3.10
 _____ meals _____

TOTAL \$ 203.10

LOREN MYERS of
3228 Deer Run Ave, Macksburg Iowa

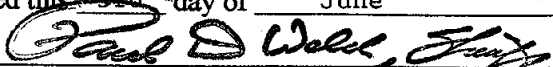
1 day service \$ 200.00
40 miles at 31 cents 12.40
 _____ meals _____

TOTAL \$ 212.40

GRAND TOTAL \$ 1,229.76

I certify that the foregoing amounts are legally payable to each claimant and that the claim is correct and just and that the payment has not been received.

Dated this 3rd day of June, 2003.


Paul Welch
 Sheriff of Madison County, Iowa



Iowa Department of Transportation

800 Lincoln Way, Ames, IA 50010-6993

PHONE: 515-239-1029

FAX: 515-239-1247

June 16, 2003

When corresponding, refer to:

Madison County

Project STPN-92-4(24)--2J-61

Group "A"

Parcel No(s). 1

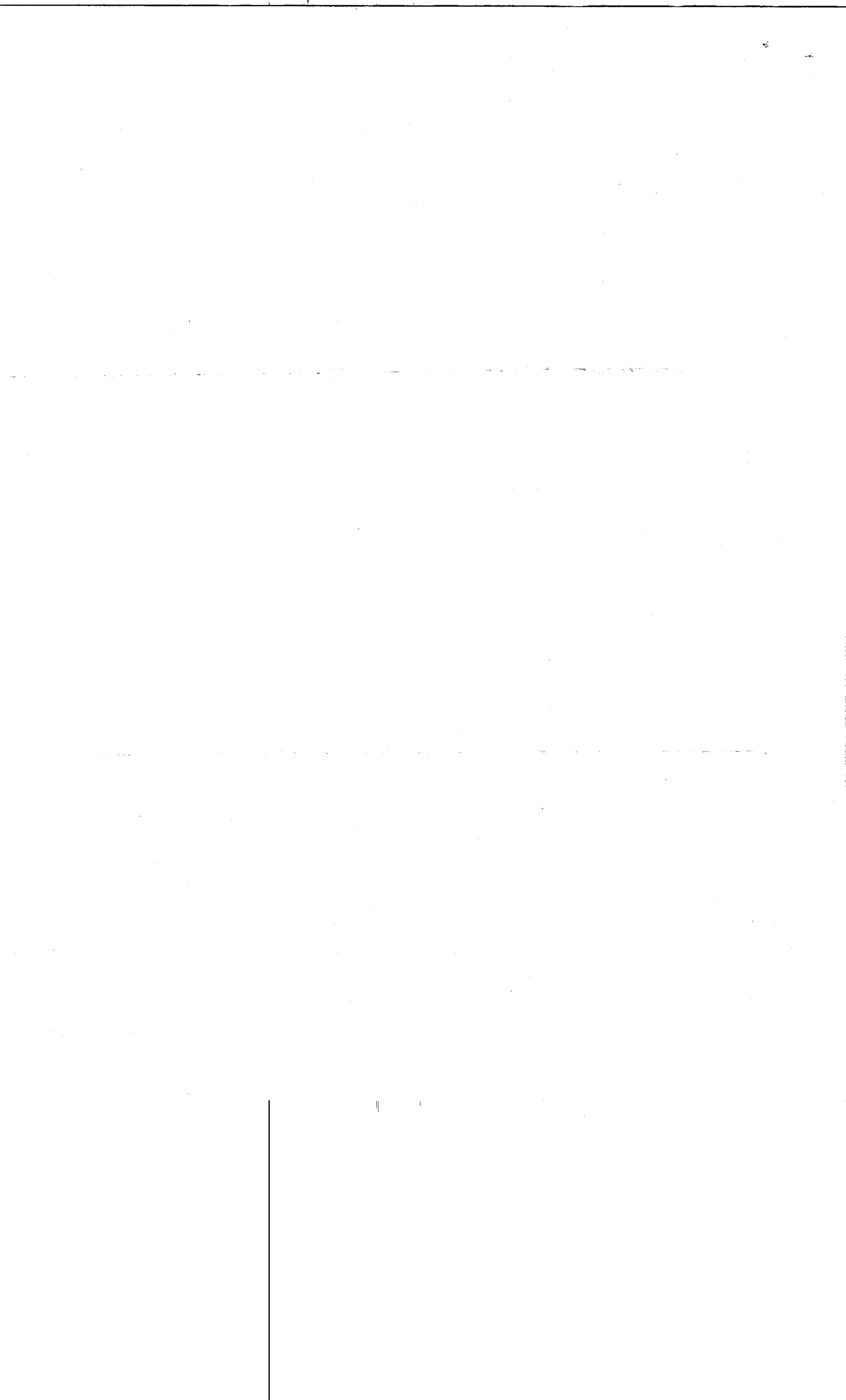
Paul Welch
Madison County Sheriff
1012 N. John Wayne Drive
Winterset, IA 50273

Dear Sheriff Welch:

I enclose the warrant(s) covering the award(s) in the above-captioned condemnation proceeding. Please hold these warrants until thirty (30) days have elapsed since the date of mailing the *NOTICE OF APPRAISEMENT OF DAMAGES AND TIME FOR APPEAL*. You may notify the condemnees that the warrants are now on deposit in your office.

At the end of the 30-day period, which expires on July 7, 2003, **please forward the original of each of the following papers** to the County Recorder for recording:

1. "Certified True Copy" of the *APPLICATION TO THE CHIEF JUDGE*.
2. *SELECTION AND APPOINTMENT OF COMPENSATION COMMISSIONERS*.
3. *SUPPLEMENTARY ORDER APPOINTING ALTERNATE COMPENSATION COMMISSIONERS* or substitute compensation commissioners (if any), including all orders from the Chief Judge appointing them and the summons served on them.
4. The signed copy of the *SUMMONS TO COMMISSIONERS* for each original, alternate or substitute commissioner.
5. *OATH OF COMMISSIONERS*, which must have an original signature from each commissioner. Their signatures must be acknowledged by a Notary Public or Clerk of District Court (Sec. 6B.7 of the Code of Iowa).
6. The signed copy of the *SHERIFF'S CERTIFICATION AS TO AWARDS AND COSTS*.
7. *CONDEMNATION COMMISSIONER'S STATEMENT*, one signed statement from each commissioner.
8. All *NOTICES (of Condemnation)*, and returns of service.



9. Proof of Publication (if there have been any publications) as well as all Affidavits in connection therewith.
- 10.* *AFFIDAVIT OF FINAL OFFER.*
- 11.* *REPORT OF COMPENSATION COMMISSION*, with the *ENDORSEMENT OF SHERIFF OF MAILING OF NOTICE OF APPRAISEMENT OF DAMAGES AND TIME FOR APPEAL* contained on the reverse side, signed by each commissioner and certified by the Sheriff (Sec. 6B.14 of the Code of Iowa.).
- 12.* *NOTICE OF APPRAISEMENT OF DAMAGES AND TIME FOR APPEAL*, endorsed by the Sheriff (Sec. 6B.18 of the Code of Iowa).
13. All other papers filed in connection with said proceedings and a written statement by the Sheriff of all monies received in payment of damages, from whom received, and to whom paid, and the amount paid to each claimant, and reference to the recording of the original "Certified True Copy" of the *APPLICATION TO THE CHIEF JUDGE* by Book and Page, or Instrument or Document number, and the date of recording.

DO NOT DISBURSE ANY WARRANTS FOR PARCELS THAT HAVE BEEN APPEALED. In the event an appeal is filed, it will be necessary for the court to order any disbursement of funds.

All fees for recording of papers should be mailed directly to this office for payment. Please request the County Recorder to use the enclosed *Recording Data Sheet* in submitting his or her bill for the recording of these papers.

If you have any questions, please contact this office at 515-239-1813.

Sincerely,



Robert Dahlgren
Condemnation Unit Coordinator
Office of Right of Way

RD:lbb

Enclosures

cc: County Clerk of Court
County Treasurer
County Recorder

Sheriff Welch
June 16, 2003
Page 3

RE: Madison County STPN-92-4(24)--2J-61 "A"
Parcel 1, Hearing held June 3, 2003

WARRANT NO.	PAYEES	AMOUNT
02429304	Dwayne Frazier; Dolores E. Frazier; Peoples Savings Bank; Madison County Treasurer	\$5,400.00
	Wilson, Fowler & Fusco	\$ 600.00

cc Condemnation File
Resident Construction Engineer
District Engineer
Doug Bates
Nancy Halvorson

